

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19430 of 2022

Arising Out of PS. Case No.-932 Year-2021 Thana- KUDHNI District- Muzaffarpur

RAJ KISHORE RAY @ BAMPAT RAY @ BAMPANT RAI S/o- Late Bindeshwar Ray Resident of Village- Gavsara, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-06-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the state.

The petitioner seeks regular bail in connection with Kudhani (Turki O.P.) P.S. Case No. 932 of 2021, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution report, co-accused Suman Singh in association with other accused person including the petitioner had brought the wine and kept in Bamboo Clump of co-accused Suman Singh. Accordingly, the police went there and recovered about 56.700 ml. of Indian made foreign liquor that was kept in



old ditch situated in Bamboo Clump of co-accused Suman Singh.

As per seizure list, total 56.700 ml. of illicit foreign liquor was recovered from the Bamboo Clump of co-accused Suman Singh.

Learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner bears one criminal antecedent in which he is on bail. He further submits that charge-sheet has been submitted in this case and as such, there is no likelihood of tampering the evidence. He is in custody since 01.02.2022.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Mujaffarpur, in connection with Kudhani (Turki O.P.) P.S. Case No. 932 of 2021, subject to following condition:

- (i) The petitioner shall be released after framing of



charge.

(ii) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(iii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(Alok Kumar Pandey, J)

Ranjeet/-

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