

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24580 of 2022

Arising Out of PS. Case No.-365 Year-2019 Thana- MAHUA District- Vaishali

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Rajeev Ray @ Munna Ray @ Munna Son of Devendra Ray, R/o Village -
Kushhar Khar, P.S.- Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 30-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 365 of 2019, lodged under Sections 414
of the Indian Penal Code read with Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, total recovery of 5583 liter
foreign liquor has been made, in which the petitioner has been
made accused.

Learned counsel for the petitioner submits that
petitioner has not been apprehended from the place of
occurrence and he is neither owner nor driver nor khalasi of the

said vehicle. Learned counsel also submits that petitioner is completely innocent and unnecessarily be dragged in this case. He further submits that petitioner is in custody since 05.02.2022 and charge-sheet has already been filed in this case. Learned counsel also submits that antecedent of the petitioner is clean. Learned counsel for the petitioner further submits that the other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court, the details of which are mentioned in Paragraph 12 of the bail petition.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.-2-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No. 365 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed. In case of non-appearance for two consecutive dates without sufficient cause, his bail shall be cancelled.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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