

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26993 of 2022**

Arising Out of PS. Case No.-28 Year-2022 Thana- MINAPUR District- Muzaffarpur

Sanjay Rai @ Sanjay Ray Son Of Ramchandra Rai R/O Village- Chitarpatti,
P.S.- Minapur, District- Muzaffarpur (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Hans Lal Kumar, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Minapur P. S. Case No. 28 of 2022



registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act.

As per the prosecution case, it is alleged that 11 litres country made liquor was recovered from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery has been made from a joint family house where several persons reside and the petitioner cannot be held responsible. It is further submitted that this petitioner is in custody since 18.01.2022 and moreover, the investigation of the crime is completed and the charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application.

Having considered the submissions made on behalf of the parties and taking into account the fact that the alleged recovery has been made from a joint family house and he is in custody since 18.01.2022 moreover, the investigation of the crime is completed and the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two



sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd -cum-Special Judge, Court No. I, Muzaffarpur in connection with Minapur P. S. Case No. 28 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds



in terms of the above-mentioned order shall not
be delayed for purpose of or in the name of
verification.

(Harish Kumar, J)

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