

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29430 of 2022

Arising Out of PS. Case No.-965 Year-2021 Thana- MANER District- Patna

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Ravi Ray @ Ravi Rai, Son of Subhash Ray @ Subhash Rai, Resident of
Village- Prem Tola, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Md. Helal Ahmad, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Special Excise Case No. 7904 of 2021, arising
out of Maner P.S. Case No. 965 of 2021, registered for the
offences punishable under Sections 30(a) and 37(b) (c) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, it is alleged that while the
police party was on patrolling duty, some persons after noticing
the police force started fleeing away, however, four persons
were apprehended. On search, 60 litres of country made Mahua
liquor was recovered from the possession of the petitioner.



Learned counsel appearing on behalf of the petitioner submitted that nothing has been recovered from the conscious possession of the petitioner, rather the same has been recovered from somewhere, but only on account of some ulterior motive, the recovery has been shown from the possession of this petitioner. It is further submitted that this petitioner, having fair antecedent, is in custody since 27.11.2021, apart from the other infirmities in the seizure list, which is in violation of Section 100 of the Cr.P.C.

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

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 27.11.2021, having fair antecedent, and moreover, the investigation of crime is already completed and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Danapur, Patna in connection with Special Excise Case No. 7904 of 2021, arising out of Maner P.S. Case No. 965 of 2021, 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.

(Harish Kumar, J)

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