

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29724 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- MANIYARI District- Muzaffarpur

Sanjeet Rai @ Sanjeev Rai, S/o Ram Deni Ray, Resident of Village-
Chakmehsi, P.S.- Maniyari, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Maniyari P.S. Case No. 242 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 318.375 litres of India made foreign liquor was made from the house of co-accused Umashankar Rai who disclosed the name of this petitioner for being involved in the illicit trade of liquor along with other co-accused persons.



The learned counsel for the petitioner submits that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. His name came on the disclosure statement of the co-accused Umashankar Rai, who has been granted bail by a Co-ordinate Bench vide order dated 07.12.2021 passed in Cr. Misc. No. 55547 of 2021. The petitioner is in custody since 02.02.2022 and charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the fact that no recovery has been shown from the petitioner, who was not apprehended from the spot and the person, who named this petitioner in this case, has been granted bail by a Co-ordinate Bench and further considering the submission of the charge-sheet and period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Court No.II, Muzaffarpur in connection with Maniyari P.S. Case No. 242 of 2021, subject to the



condition mentioned in Section 437(3) of the Cr.P.C. and other
the following conditions:

(i) The bail bond of the petitioner will be accepted
only after framing of charge, if not already
framed.

(ii) One of the bailors will be Ram Deni Ray,
father of the petitioner, who has sworn the
affidavit.

(iii) The petitioner will remain present on each
and every date fixed by the court below.

(iv) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

U		T	
---	--	---	--

