

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45717 of 2021

Arising Out of PS. Case No.-102 Year-2020 Thana- KHAJEKALA District- Patna

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GOPI RAY S/o LATE MALLU RAY @ MALLU RAY R/o VILLAGE-
MAHABIR GHAT, P.S-KHAJEKALAN, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 22.06.2021,
seeks regular bail in connection with Special Case No. 2544 of
2020, arising out of Khajekalan P.S. Case No. 102 of 2020, for
the offence punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in brief, is that near Sidhi Ghat,
Patnacity, altogether 240 litres of country made liquor was
recovered from six gunny bags by the raiding team in which
petitioner along with one Munna Rai has been alleged to be



engaged in the illicit trade of illicit liquor by the local people and both accused persons were arrested.

Learned counsel appearing on behalf of the petitioner submits that petitioner has clean antecedent and nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has no concerned with the seized articles and he has been implicated in this case due to dirty village politics.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 2544 of 2020, arising out of Khajekalan P.S. Case No. 102 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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