

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50853 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- GAIGHAT District- Muzaffarpur

Saheb Ray, S/O Nathuni Rai, R/O Village- Gausnagar, P.S- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-03-2022 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. Sheo Kumar Prasad learned counsel for the petitioner and Mr. Nitya Nand Tiwary, learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Gaighat P.S. Case No. 68 of 2020 for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that while the informant was on patrolling duty along with police personnel, he received information that contraband liquor was unloaded near Gaus Nagar Middle School. Thereafter the informant reached at the



place of occurrence along with other police personnel. It is alleged that one Saheb Ray (petitioner) was present at the place of occurrence, who fled away on seeing the police personnel.

Learned counsel for the petitioner submits that the petitioner was not arrested at the place of occurrence and the identification of the petitioner is doubtful. It is further contended that the recovery has not been made from the possession of the petitioner. Furthermore, it is submitted that the petitioner is languishing in jail since 15.06.2021.

Learned APP for the State opposes the bail application.

Taking into consideration the submissions and the materials available on record, let the petitioner, named above, 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 Special Court, Excise Act, Muzaffarpur in connection with Gaighat P.S. Case No. 68 of 2020.

(Harish Kumar, J)

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