

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53571 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- SURSAND District- Sitamarhi

RAJU RAI S/o Raj Karan Rai R/o village- Chikana, P.S.- Choraut, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 22-04-2022 The applicant/accused in Crime No. 102 of 2021 registered with Sursand Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 by this application is seeking his release on bail after filing of the charge-sheet.

Heard both sides.

According to the prosecution case, police received secret information that illicit Nepali liquor is being imported in the State. That is how, a trap was laid. Few persons were seen crossing the border with bags. Police apprehended accused Satendra Narayan Rai. He confessed and named the applicant as well as others. Total 144 litres of Nepali liquor came to be seized from the spot.

The investigation of the subject crime is over.



Evidence against the applicant comprises of the confessional statement of the co-accused. The applicant is reportedly not having any criminal antecedents. Therefore, his further pre-trial detention is not warranted and hence, the order:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 102 of 2021 registered with Sursand Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty



to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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