

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55571 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- RAGHOPUR District- Vaishali

SIYARAM RAI Son of Prabhu Rai Resident of Village - Jafrabad Tok, P.S.-
Raghpur (Rustampur O.P.), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Supriya Rani

For the Opposite Party/s : Mr. Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-02-2022 Heard both the parties.

The petitioner seek bail in anticipation of his arrest in connection with Raghopur (Rustampur) O.P.) P.S. Case No.141 of 2020 instituted for the offences under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner is neither the owner of the land from where the liquor was recovered nor can be said to be connected with the same. His name has been mentioned by other persons of the area on account of personal enmity.

Taking into consideration the over all aspect, ex facie no case under 30(a) of the Excise Act is made out, I am inclined to grant anticipatory bail to the petitioner and in the event of



arrest, he shall be released on bail subject to conditions as laid down under section 438 (2) of the Cr.P.C., which are as under:-

1. The applicant, namely, Siyaram Rai shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The applicant shall cooperate with the investigation and make himself available for interrogation whenever required.

3. The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

4. The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The applicant shall not leave the territory of Vaishali at Hajipur without prior permission of the court, till trial is over;

6. The applicant shall maintain law and order;

7. The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not



change the residence till the final disposal of the case;

8. The applicant shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9. The applicant shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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