

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46111 of 2022

Arising Out of PS. Case No.-181 Year-2021 Thana- KATRA District- Muzaffarpur

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DHARMENDRA RAI @ DHARMENDRA RAY SON OF BRAHAMDEV
RAI @ BRAHAMDEV RAY R/O VILLAGE- NAGWARA, P.S.- KATRA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-09-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State through virtual mode.

The petitioner seeks bail in connection with Katra

P.S. Case No. 181 of 2022 registered for the offences punishable

under Sections 30(a)/36 of the Bihar Prohibition and Excise Act,

2016.

As per prosecution case, there is alleged recovery

of 105.120 litres foreign liquor from the place of occurrence

near Pokhar under bridge. It is alleged that the petitioner and

others are involved in illegal business of liquor.

Learned counsel for the petitioner submits that



petitioner is in custody since 03.06.2022. Petitioner bears two criminal antecedent of similar nature. Name of the petitioner has been surfaced on the basis of secret information. Learned counsel further submits that the petitioner is not apprehended on spot. Nothing has been recovered from the conscious possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge – 1, Excise Court, Muzaffarpur in connection with Katra P.S. Case No. 181 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive



dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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