

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45953 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- AHYAPUR District- Muzaffarpur

BIMLESH RAY SON OF NAND RAY @ NAND LAL RAY R/O VILLAGE-
MAKSOODPUR, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 290 of Indian Penal Code and under Section 30(a)/36 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is that he along with other co-accused run business of illegal liquor.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. He submits that there is no recovery from the conscious possession of the petitioner rather 283.500 liters of foreign liquor is said to have recovered from the place of occurrence. He submits that the illicit liquor has been recovered from the roof of state boring water tank. He further submits that petitioner has two criminal antecedent in similar nature as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 30,000.00 (Rupees Thirty Thousand) in the account of Member Secretary Bihar State Legal Services Authority, bearing No. 0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Considering the facts and circumstance of the case, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ahiyapur P.S. Case No. 176 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:



(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Member Secretary Bihar State Legal Services Authority, Patna.

(Anjani Kumar Sharan, J)

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