

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55844 of 2022

Arising Out of PS. Case No.-286 Year-2021 Thana- MINAPUR District- Muzaffarpur

Ravindra Ray @ Ravindra Rai Son Of Laxmi Ray R/O Village- Gausnagar,
P.S.- Mahindwara, Distt.- Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Minapur P.S. Case No. 286 of 2021 lodged under Sections 272,
273, 420, 120(B)/34 of the I.P.C. read with Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 4361.91
litre foreign liquor has been made, which is the subject matter of
the present case.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the place of occurrence
and nothing was recovered from his conscious possession. It is

submitted that petitioner is neither driver nor the owner of the alleged truck. His name has come in this case by virtue of the confessional statement. Counsel further submits that petitioner has been arrested on 05.07.2022 and charge sheet has already been filed in this case. Counsel submits that there are 2 cases pending against the petitioner in which he is on bail. He further submits that the other co-accused persons of this case have already been granted bail by the Co-ordinate Bench of this Court vide order 31.08.2022 and 12.05.2022 passed in Cr. Misc. No. 44612 of 2022 and Cr. Misc. No. 928 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.-1, Muzaffarpur in connection with Minapur P.S. Case No. 286 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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