

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59611 of 2022**

Arising Out of PS. Case No.-522 Year-2021 Thana- MALSALAMI District- Patna

Vijay Ray Sono F Nandi Rai @ Anandi Ray R/V- Damrahi Ghat, Sharifaganj  
P.S- Malsalami, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      02-12-2022                      Heard Ld. counsel for the petitioner and Ld. APP  
for the State.

The petitioner seeks bail in connection with Special  
Case No. 7138 of 2021, arising out of Malsalami P.S. Case  
No. 522 of 2021, registered for the offences punishable  
under Section 30(a) of Bihar Prohibition and Excise  
(Amendment) Act, 2018.

As per allegation, 690 litres of country-made liquor  
has been recovered near Damrahi Ganga Ghat river front.

The learned counsel for the petitioner submits that  
the petitioner is innocent and has falsely been implicated in  
this case. He further submits that nothing has been



recovered from the conscious possession of the petitioner.

The petitioner has been languishing in jail since 07.09.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved earlier before this Court for grant of anticipatory bail in Cr. Misc. No. 5879 of 2022.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in nine more cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Special Judge Excise, Patna, Patna City in connection with Special Case No. 7138 of 2021, arising out of Malsalami P.S. Case No. 522 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.



The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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