

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14859 of 2023

Arising Out of PS. Case No.-513 Year-2020 Thana- KANTI District- Muzaffarpur

Bechu Rai @ Bachu Rai Son Of Sahdev Ray R/O Madhuban, P.S.- Kanti,
District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 7240 litres of spirit from a bolero pickup van bearing registration number BR-06GD-5929 And from the side of road. The petitioner is alleged to be driver of aforesaid vehicle.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in the present case. He was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has come only because he is the driver of the said vehicle. Petitioner is languishing in judicial custody since 19.12.2022. There is no independent witness of the alleged seizure. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. 2, Muzaffarpur in connection with Kanti P.S. Case No. 513



of 2020.

The petitioner is directed to deposit a sum of Rs. 50,000/-(Rupees Fifty Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 50,000/-(Rupees Fifty Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

