

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38738 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- PATNA CITY CHOWK District- Patna

Jaikant Rai @ Jay Kant Ray, Son Of Sanjivan Rai Resident Of Village-
Baglodan Gali, Ps- Chowk, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Chowk P.S. Case No. 30 of 2023 dated 19.01.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 90 litres of country made liquor was recovered near the house of the petitioner. The name of the petitioner disclosed by villagers.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in 34 criminal cases and he is on bail in 27 criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.01.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Chowk P.S. Case No. 30 of 2023 with the following conditions :-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.
2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bond is liable to be cancelled.



3. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

4. The petitioner is directed to mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail will stand cancelled by the concerned Court below.

The application stands allowed.

(Chandra Prakash Singh, J)

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