

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61651 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- PATORI District- Samastipur

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Dinesh Ray, aged about 27 years, Male, S/O Late Ram Pukar Ray @ Pukar Ray, Resident of village- Patharghat, P.S.- Shahpur Patory (Mohanpur O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 This matter has been taken up today for consideration through video conferencing.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Patori (Mohanpur O.P.) P.S. Case No. 180/2022, registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code & 30(a) of Bihar Prohibition & Excise (Amendment) Act, 2018.

On receiving secret information regarding consignment of illicit liquor being brought by co-accused Chandan Kumar and Kundan Kumar, police have reached their house. From where there is recovery of illicit liquor from the parked vehicle, motor-cycle and house, total 127.875 litres (one hundred twenty seven litres & eight hundred seventy-five millilitres) has been recovered. Petitioner has been stated to be the person who drove the ‘Scorpio’ vehicle on which it was transported.

Learned counsel for the petitioner submits that petitioner has no concern. He has become victim of the circumstance of false



implication by virtue of being in the locality. He is in custody since 15.05.2022, though he has no antecedent.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.2, Samastipur, in connection with Patori (Mohanpur O.P.) P.S. Case No. 180/2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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