

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63477 of 2022**

Arising Out of PS. Case No.-151 Year-2021 Thana- RANIYATALAB District- Patna

Bhola Rai, Son of Late Basudeo Rai, R/v- Motipur, P.S.- Motipur, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Mr. Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 20-01-2023 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

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

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Ranitalab P.S. Case No. 151 of 2021 registered under Sections 467, 468, 420, and 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

8200 litres illicit spirit has been recovered from the truck. The driver has disclosed that the petitioner was consignor of the spirit and was indulging in supply of the same.

Learned counsel for the petitioner submits that the petitioner has been dragged in this case on alleged statement of co-accused,



who has since been allowed bail. Implication is repeated and earlier in similar manner, he has been implicated in 10 cases. He is in custody since 06.08.2022. Recovery is denied and disputed by learned counsel for the petitioner. It is submitted that recovery is not in accordance with law.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur (Patna) in Ranitalab P.S. Case No. 151 of 2021, 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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