

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64413 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- RAMNAGAR District- West Champaran

Laxman Rai, aged about 60 years, Male, S/o Late Narayan Rai R/o Village-
Hardiya, P.S.- Ramnagar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 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 Trial No.
2666/2022 arising out of Ramnagar P.S. Case No. 242/2021
registered for the offence punishable under Section 307, 328 of the
Indian Penal Code (for brevity 'IPC') and 33, 37(b) of Bihar
Prohibition and Excise Act.

The informant has allegedly consumed liquor at the
petitioner's place, whereafter, he has fallen ill, lost his eye sight, and
thereafter, lodged the instant case.

Learned counsel for the petitioner submits that the informant
has allegedly consumed liquor on 13.07.2021, the case has been
lodged on 18.07.2021 on extraneous considerations. The First
Information Report (for brevity 'F.I.R.') has not led to any recovery
from the petitioner's possession. Petitioner's implication is based on
extraneous considerations arising out of Ramnagar P.S. Case no.
236/2021, in which the petitioner was earlier implicated, and he is on



bail. He is stated to be in custody since 31.07.2021 upon his remand in the instant case.

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

Having regard to the manner of recovery, submissions advanced by the parties, period of custody and the fact that investigation is complete, 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 Bagaha West Champaran, in connection with Tr. No. 2666/2022, arising out of Ramnagar P.S. Case No. 242/2021, 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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