

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82492 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ravindrar Ray Lagra @ Ravindra Ray @ Langra S/O Ramlagan Rai R/O
Village- Jitwarpur Chouth, Ward No. 3, P.S- Mufassil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mufassil P.S. Case No. 255 of 2023 dated 30.04.2023 registered for the offences punishable under Section 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Sections 30(a), 32,36, 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, 2700 litres foreign liquor was recovered from a truck in question. Local *Chowkidar* disclosed the name of the petitioner who succeeded in fleeing away alongwith others from the place of occurrence.

4. Learned counsel for the petitioner submits that



petitioner is in custody since 07.10.2023 and bears criminal antecedent of three cases. He further submits that the petitioner was not apprehended from the place of occurrence and no incriminating article has been recovered from the conscious possession of the petitioner. He also submits that the petitioner was neither the owner nor the driver of the alleged vehicle. Petitioner is quite innocent and has falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-1st, Samastipur in connection with Mufassil P.S. Case No. 255 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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