

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15022 of 2019

Arising Out of P.S. Case No.-186 Year-2018 Thana- DAWATH District- Rohtas

RAVI SAH, aged about 25 years, Male, son of Sumant Sah, Resident of Village- Semri, P.S.- Dawath, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhanendra Chaubey, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 22.12.2018 in connection with Dawath P.S.Case No.186 of 2018 for the offence alleged under Sections 30(a), 35 and 38 of the Bihar Prohibition & Excise Act, 2016.

The prosecution case as lodged by the police personnel is that on secret information that one Chandan Kumar is trading in illicit liquor, the police conducted a raid in the poultry farm of the said co-accused Chandan Kumar. While he managed to flee away, the petitioner was apprehended and from the farm 155.520 litres of illicit liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent, nothing has been recovered from the conscious possession and the poultry farm does not belong to the petitioner. He submits that his extra judicial confessional statement before the police has no evidentiary value in the eye of law and that the petitioner is languishing in judicial custody since nearly three months. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the nature of allegations, 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 in connection with Dawath P.S.Case No.186 of 2018 to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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