

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14106 of 2019

Arising Out of PS. Case No.-476 Year-2018 Thana- DHAKA District- East Champaran

RAVINDAR SINGH @ RAVI SINGH Son of Mahendar Singh Resident of
Village- Chainpur Dhaka, P.S.- Dhaka, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Dhaka P.S.
Case No. 476 of 2018 for offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that during course of vehicle checking, they found
several persons indulged in carrying illicit liquor and thereafter
received secret information that illicit liquor is concealed in the
house of the petitioner. A raid was conducted and two persons
managed to flee away from the house of the petitioner and on
search 145 litres of illicit liquor was recovered from the house
of the petitioner. Accordingly a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the petitioner was in custody at the time of raid in Dhaka P.S. Case No. 325 of 2018 and has been taken on remand in the present case. He further submits that the petitioner was not apprehended on the spot and just because the house belongs to the petitioner, he has been made accused in the present case. Petitioner undertakes to cooperate in the investigation not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of similar nature is pending against him and that huge quantity of illicit liquor was recovered from the house of the petitioner.

Considering the facts and circumstances of the case and the nature of allegations as well as the period of custody, let the petitioner above named be enlarged 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, Motihari in connection with Dhaka P.S. Case No. 476 of 2018, subject to the conditions:-

(1) One of the bailors would be close relative of the



petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) 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)

devendra/priyanka

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