

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26137 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

RAMOD RAM, aged about 28 years, Male, Son of Brij Kishore Ram
Resident of Village - Laskaripur, P.S.- Kanti, Dist.- Muzaffarpur
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Nachiketa Jha, Adv.

For the Opposite Party : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2019 Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Dumariyaghat
P.S. Case No. 32 of 2019 for the offences alleged under Sections 272,
273 and 34 of the Indian Penal Code and under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is
that during vehicle checking in the anti prohibition drive the Honda
City car of the petitioner was intercepted. While the petitioner and one
other tried to flee away, they were apprehended. On search, from the
vehicle 248.620 liters of Indian made foreign liquor was recovered,
They revealed that they are mere driver and the consignment belonged
to one Anand Paswan.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has been
falsely implicated in the aforesaid case. He submits that nothing has
been recovered from his conscious possession, he was not the owner



of the illicit liquor and was just the driver of the said vehicle.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioner, above named, be released on bail, **on completion of investigation**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Dumariyaghat P.S. Case No. 32 of 2019 to the satisfaction of the learned Additional District Judge VII-cum-Special Judge, Excise, East Champaran at Motihari, or the successor Court, 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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