

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74464 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- BRAHMPUR District- Buxar

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Ramnath Prasad @ Ramnath Kevat Son of Late Sitaram Prasad @ Gita Prasad, Resident of Village - Noniapura (Sowan), P.S.- Brahampur (Krisha Brahm), Distt.- Buxar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Brahmpur (Krishna-Brahm) P.S. Case No. 39 of 2019 registered for the offences punishable under Sections Section 30(a) & (c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner was not arrested on the spot and name of the petitioner was disclosed by Chaukidar. The vehicle in question does not belong to the petitioner and petitioner is in custody since 24.09.2019 having



no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the submission of learned counsel for the petitioner that altogether six persons are said to have fled away on seeing the police party and then it is alleged that on the disclosure of the Chaukidar the name of this petitioner along with others was disclosed but save and except that there is no other material to connect this petitioner with the present case, the Truck in question does not belong to him, he has no criminal antecedent and that he is in custody since 24.09.2019, the co-accused have already been granted regular bail by the learned Co-ordinate Benches of this Court, let the petitioner above named be released on bail in connection with Brahmpur (Krishna-Brahm) P.S. Case No. 39 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Buxar, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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