

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11171 of 2021**

Arising Out of PS. Case No.-699 Year-2020 Thana- KUDHNI District- Muzaffarpur

RAVI SHANKAR KUMAR S/o Gaya Ray R/o- Village- Shahpur @ Saifpur,
P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Manish Chandra Gandhi, Kr Samarjeet Singh,
Mahendra Thakur, Advocates
For the Opposite Party/s : Mr Braj Kishore Pd, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 08-07-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor (for brevity, *APP*) for the
State.

The petitioner seeks bail in Kudhani (Turki Outpost)
Police Station (for brevity, *PS*) Case No 699 of 2020 instituted
for the offence punishable under Sections 414/34 of Indian
Penal Code and Section 30 (A) of Bihar Prohibition and Excise
Act, 2016.

40 liters of illicit country made liquor, kept inside
plastic bag, has been recovered from a parked tempo. It is
alleged that petitioner was fleeing away from the place and, on



being apprehended, has confessed to be the driver of the vehicle in question.

Submission is of false implication. Being a bona fide passerby, the petitioner has been implicated in this case. He has become a victim of the circumstances. Petitioner has no criminal antecedent and he is in custody since 09.11.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in Kudhani (Turki Outpost) PS Case No 699 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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