

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13760 of 2021

Arising Out of PS. Case No.-230 Year-2017 Thana- SONO District- Jamui

RAM KRIPAL NISHAD S/O- Ram Pravesh Nishad Resident of village -
Simari- Ghat, Police Station - Chakia, Barauni, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Opposite Party/s : Mr.Abhay Kr. No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sono P.S. Case No. 230 of 2017 registered for the offence punishable under Sections 272, 273 of the IPC and section 30(a), 41, 47 of the Bihar Excise and Amendment Act.

Altogether 200 liters of country made liquor is said to have been recovered from one Bolero car. The driver and one other were arrested at the spot who disclosed that petitioner is



the owner of the said vehicle.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. It is further submitted that he has been falsely implicated in this case due to reasons best known to the prosecution party and due to old enmity. Neither the petitioner has been apprehended on the spot nor any incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has no knowledge about illegal loading of liquor in this vehicle by the driver and other co-accused as the driver has taken the vehicle on rent to carry a patient to hospital. Petitioner has three criminal antecedent as mentioned in para-3 of the present petition and has been languishing in custody since 05.12.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing



bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd Jamui, in connection with Sono P.S. Case No. 230 of 2017, with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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