

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14849 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- HATHUA District- Gopalganj

Ravi Kumar, S/O Chhatu Sah, Resident Of Village- Hathua, P.S.- Hathua,
District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-09-2021 The matter has been taken up today for
consideration through video conferencing.

A photo copy of the petition filed by the petitioner
containing the affidavit was not signed. To take steps in this
regard, matter was earlier adjourned on 27.08.2021.

A supplementary affidavit has been filed through
virtual mode, placing on record photo copy of signed affidavit
as page 7 of the petition.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Hathua
P.S. Case No.80 of 2020 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.



222.250 litres illicit wine has been recovered from one co-accused Devsharan Kumar @ Guddu. As per his confessional statement regarding petitioner's involvement, the petitioner has been implicated in this case.

It is submitted by the petitioner's counsel that even as per the allegation, there is no recovery from the petitioner. His implication is on the confessional statement of co-accused, Devsharan Kumar @ Guddu, who has been granted bail in Cr.Misc. No.1623 of 2021. Petitioner is in custody since 28.11.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge cum Special Judge (Excise), Gopalganj, in connection with Hathua P.S. Case No.80



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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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