

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14929 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- SONBERSA District- Sitamarhi

Ram Bharosh Thakur @ Ram Bharos Thakur, Son of Parbhansh Thakur @
Paramhans Thakur, R/o Village- Ramnagara, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate
		Mr. Santosh Kumar, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-09-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with
Sonbarsa P.S. Case No.126 of 2020 registered for the offence
punishable under Sections 414, 420, 272, 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.



370.71 litres illicit liquor was being unloaded from a truck by nine persons. On a secret information when the police reached, two persons fled away. The petitioner is one of the persons who fled away. Co-accused Satish Gaur has named the petitioner. It is submitted that the said co-accused has been allowed bail in Cr.Misc. No.32357 of 2020, vide order dated 11.01.2020. Petitioner is on bail in the two cases pending against him since before as in those cases there is no recovery from the petitioner as in this case also. It is a case of false implication based on his antecedents. He is in custody since 13.10.2020.

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 the learned A.D.J.-II-Cum-Special Judge, Excise Act, Sitamarhi, in



connection with Sonbarsa P.S. Case No.126 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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