

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28541 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Ravindra Rai, Son of Late Chulhai Rai, Resident of Village - Vishwanathpur
ward No.- 06, P.S.- Dumra, Dist - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-12-2021 Heard learned counsel appearing on behalf of the

petitioner as well as learned Additional Public Prosecutor

appearing for the State through video conferencing.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 26.01.2021 seeks
bail in connection with G.O. Case No.10/2021 registered for
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

Prosecution case in brief, is that altogether 540 bottles
each containing 300 ml of Nepali Saufi wine which was
recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that it is not humanly possible to carry 540 bottles



containing 162 liters of Nepali Saufi wine. Learned counsel appearing on behalf of the petitioner further submits that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the State submits that petitioner is engaged in trade of illicit liquor of wine and hence do not deserves to be released on bail.

Considering the afore-mentioned facts and circumstances and of the case, it is directed that the court below after verifying the criminal antecedent of the petitioner and after being satisfy as to whether any other criminal case or excise case is pending against the petitioner and after verifying the same, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned A.D.J., IInd-cum-Special Judge Excise Act, Sitamarhi in connection with G.O. Case No.10/2021, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.



(3) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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