

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38431 of 2021**

Arising Out of PS. Case No.-548 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Ram Nath Rai Son of Sri Ratneshwar Rai R/v- Govind Pithaujhiya, P.S.-
Mahindwara, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Runi Shaidpur P. S Case No. 548 of 2020 for
the offences punishable under Section 30(a),38(i) (ii) of Bihar
Prohibition and Excise Act 2016.

On secret information 192.750 liters foreign liquor
was recovered from Bolero.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case. He further
submits that nothing has been recovered from conscious
possession of the petitioner. He further submits that after four



months of the present F.I.R, petitioner has been implicated in the present case on the basis of suspicion. He is in jail custody since 31.03.2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that petitioner has one criminal antecedent ie. Aurai P.S.Case No. 204 of 2020.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise, Sitamarhi in connection with Runi Shaidpur P.S.Case No.548 of 2020,subject to the following conditions;-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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