

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30191 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- CHOUTARWA District- West Champaran

DHURENDRA RAM @ DHURANDRA RAM Son of Babulal Ram Resident
of Village- Karjaniya, Police Station- Chautarwa, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 08-03-2021 Heard learned counsel for the petitioner and Mr. Atul Chandra, learned A.P.P. for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Chautarwa P.S. Case No. 56 of 2020 registered for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that when the police party reached the Karjania village, they saw a man fleeing away with a bag. When the police chased the man he threw the bag in a mustard field and ran away. It is further alleged that 6.5 litres country made liquor had been recovered from the bag.

Learned counsel submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that nothing incriminating has been recovered from the conscious



possession of the petitioner and the alleged recovery of country made liquor has been made from the mustard field which does not belong to this petitioner. Learned counsel submits that the petitioner has no criminal antecedent.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein after receipt of the case diary the learned A.P.P. for the State has gone through the same and this Court has been informed that in the case diary no witness has come to say that he had identified this petitioner fleeing away after throwing the bag from which illicit liquor were recovered, further that this petitioner has no criminal antecedent, let the petitioner above named be released on bail in the event of his arrest or surrender within a period of four weeks from today on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Bettiah, West Champaran in connection with Chautarwa P.S. Case No. 56 of 2020 subject to the condition as laid down under Section 438 (2) Cr.P.C. as under :

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedents of this petitioner and in case at any stage it is found that he has concealed his criminal antecedent, the court below shall take step for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

