

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2482 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- AMNAUR District- Saran

SRI RAM RAM Son of Late Firangi Ram Resident of Village - Ganga Pur,
Madhubani, Police Station - Amnour, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Amnour P.S. Case No. 314/2021 registered for the offences
punishable under Sections 272, 273, 290, 504 of the Indian
Penal Code read with Sections 30(a)/37(b)(c) of the Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, allegation against the
petitioner alongwith other accused is that they were selling
illicit liquor and police recovered total 217.200 litres of country
made wine from the house of the petitioner. The petitioner and
other co-accused were apprehended on the spot.



Learned counsel for the petitioner submits that petitioner the is residing in a joint house and he has no knowledge about the work shop with regard to the other members of joint family. He further submits that the petitioner has been falsely implicated in this case due to dirty village politics. There is no recovery from the conscious possession of the petitioner and has no concern with the trade, transport, sale and purchase of the illicit liquor. He further submits that the petitioner is in custody since 05.12.2021 and petitioner bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Saran at Chapra arising out of Amnour P.S. Case No. 314 of 2021, subject to following conditions:-



(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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