

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5092 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- LAUKAHI District- Madhubani

RAM PRAVESH KUMAR YADAV @ RAM PRAVESH YADAV S/O
UPENDRA YADAV @ OPINDAR YADAV R/o village- Kariyaut, Ward No.
09, P.S.- Laukahi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with
Laukhai P.S. Case No. 274 of 2021 registered for the offence
under Sections 272, 273 and 34 of the IPC and Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

The petitioner is named in the FIR and is in
custody since 06.12.2021.

The allegation against the petitioner is to involve in
the illegal business of illicit country made liquor, wherein a total
recovery of 339 litre of Nepali country made liquor has been



made.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of Nepali country made liquor is from the open field as it appears from the seizure list itself, as same is shown as premises of police station. It has further been submitted that the petitioner is a man of clean antecedent and also charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP while opposing the prayer for bail, fairly conceded the fact that alleged recovery has not been made from the physical conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as alleged recovery of illicit Nepali country made liquor has not been made from the possession of the petitioner, who is a man of clean antecedent, let the petitioner, above named, be directed to be released on bail in connection with Laukhai P.S. Case No. 274 of 2021 (GR No. 2345 of 2021) on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge – II-cum-Special Judge, Excise Act, Madhubani subject to the following conditions:



“(i) That the petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be mother of the petitioner, namely, Babita Kumari, who is the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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