

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6879 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- ANDHRAMATH District- Madhubani

RAVINDAR KUMAR SAH Son of Shmbhu Sah Resident of Village - Narhi,
P.S.- Andharamath, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-07-2022 Learned counsel for the petitioner has filed
supplementary affidavit.

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
Andharamath P.S. Case No. 132/2021 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery of
total 180 liters Nepali win from the motorcycle in question.
Petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case on suspicion. Nothing has been recovered from the conscious possession of the petitioner. Through supplementary affidavit learned counsel for the petitioner submits that the said motorcycle does not belong to the petitioner. The petitioner is languishing in custody since 02.12.2021 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case as well as period of custody, charge sheet has already been submitted 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 A.D.J.-II cum Special Judge, Excise Act, Madhubani in connection with Andharamath P.S. Case No. 132/2021, subject to following conditions:-

- (i) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has 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 without appropriate permission, 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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