

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9592 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- GOGRI District- Khagaria

Ravin Yadav @ Rabin Yadav Son of Anirudh Yadav R/O Village- Baraita,
P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2022 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 two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Gogri P.S.
Case No. 216 of 2021 registered for the offence under Section
37(c) of Bihar Prohibition and Excise Act, 2018 and Sections
25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 03.12.2021.

The allegation against the accused/petitioner is to be
the owner of motorcycle having Registration no. BR 34 M 0494,
which was recovered from the place of occurrence.

Learned counsel appearing on behalf of the petitioner



submitted that at the time of occurrence, the petitioner parked his motorcycle nearby a temple and have no connection with the alleged occurrence. It has further been submitted that nothing incriminating has been recovered from the conscious possession of the petitioner. While arguing over the matter, it has further been submitted the chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly conceded that accused/petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating has been recovered from the conscious possession of the petitioner coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Gogri P.S. Case No. 216 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 Exclusive Excise Judge-I, Khagaria, subject to the following conditions:

“(i) That accused/petitioner shall
not involve in the similar nature of offence



till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented 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 duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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