

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9390 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- AMAS District- Gaya

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Ram Barat Singh @ Barat Singh Bhokta Son Of Bifan Singh Bhokta Resident
Of Village- Baghmarwa, Police Station- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh, Advocate
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Amas P.S. Case No. 213 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The prosecution case is that on getting information about manufacturing of illicit liquor by the co-accused persons, the said place was raided and the co-accused persons fled away from there and this petitioner was apprehended from the spot. About 40 liters of illicit Mahua liquor was recovered and 1600



liters of Jawa Mahua was destroyed.

Learned counsel for the petitioner submits that the petitioner is innocent and nothing incriminating has been recovered from his possession. The petitioner has got no concern with the seized liquor or the articles recovered. Moreover, even from the allegation made in the FIR, it is apparent that the petitioner was merely a labourer and the co-accused, who fled away from the spot, were the manufactures. The charge sheet has been submitted in this case and the petitioner is in custody since 17.08.2021.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted in this case and the petitioner is in custody since 17.08.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Amas P.S. Case No. 213 of 2021 subject to the following conditions :

(i) The bail bond of the petitioner will be



accepted only after framing of charge, if not already framed.

(ii) One bailor will be the deponent, who has sworn the affidavit, and another bailor will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) The petitioner will not indulge in similar type of crimes in future.

(v) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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