

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10834 of 2022

Arising Out of PS. Case No.-252 Year-2021 Thana- MITHANPURA District- Muzaffarpur

RAM PRAVESH SAH @ PINTU SON OF HARIHAR SAH R/O VILLAGE-
RAMBAGH ROAD MAHAVIR ASTHAN, P.S.- MITHANPURA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2022 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
Mithanpura P.S. Case No. 252/2021, registered for the offence
under Section 414/34 of the Indian Penal Code and Sections
30(a), 32(ii) of the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.11.2021.

The allegation against the accused/petitioner is to
recovery of 17.02 litre of illicit foreign made liquor from the
Scooty bearing registration no. BR06AM6707 of the petitioner



which was unattended and parked in front the house of the co-accused Vijay Kumar dealing with the illegal business of foreign liquor.

Learned counsel appearing on behalf of the petitioner submitted that the recovery has not been made from the conscious possession of the petitioner. It is also submitted that the antecedent of the petitioner is clean and charge-sheet has already been submitted and as such there is no chance of tampering with evidence.

Learned APP while appearing on behalf of the State while opposing the prayer for bail fairly conceded that recovery has not been made from the conscious possession of the accused/petitioner.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious possession of the petitioner, coupled with the fact that the charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mithanpura P.S. Case No. 252/2021, 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 Special Excise Court No. 1, Muzaffarpur, subject to the



following condition:

(i) Accused/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 duly supported by the documents.

(ii) That one of the bailors shall be the deponent of the present accused/petitioner, who is Sangeeta Devi, wife of the petitioner.

(Chandra Shekhar Jha, J)

Ranjeet/-

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