

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10089 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- CHORAUT District- Sitamarhi

VIKRU RAM Son of Jivachh Ram Resident of Village - Hanuman Nagar,
Ward No.12, P.s.- Madhwapur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2022 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 Choraut
P.S. Case No. 102 of 2021 registered for the offence under
Sections 414 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.11.2021.

The allegation against the petitioner is to have in
possession of 105 liters of illicit Nepali Saufi wine.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner disclosed by the



apprehended co-accused, namely, Uttim Mukhiya, it is admitted case that illicit liquor was not recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that 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 of bail, fairly conceded the fact that name of the petitioner surfaced on the basis of disclosure of the co-accused.

Considering the facts and circumstances as mentioned above, as recovery is not made from the conscious physical possession of the petitioner, who is man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Choraut P.S. Case No. 102 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 ADJ-II, Sitamarhi, subject to the following conditions:

“(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 of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Jivachh Ram, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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