

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11487 of 2022

Arising Out of PS. Case No.-183 Year-2020 Thana- ALAMGANJ District- Patna

RAVI KUMAR @ RAVI YADAV Son of Bijly Yadav Resident of Village -
Naujar Ghat, Near Chitragupt Mandir, P.S.- Khajekalan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 15.11.2021, seeks
regular bail in connection with Special Case No. 2372 of 2020
arising out of Alamganj P.S. Case No. 183 of 2020 registered for
offences punishable under Sections 30 (a)/ 37© of the Bihar
Prohibition and Excise Amendment Act.

As per the allegation made in the FIR, total 1350 litres
of *Mahua* liquor was recovered from a Tata Magic vehicle
bearing Registration No. BR-01 GF/3738.

Learned counsel appearing on behalf of the petitioner
submits that petitioner was not apprehended on the spot. He has



no concern with the alleged Tata vehicle bearing Registration No. BR-01 GF/3738 nor he is the owner of the said vehicle. It is his specific statement that the owner of the said vehicle is one Bablu Kumar and it is Bablu Kumar, who is involved in the trade of illicit liquor. He further submits that petitioner is involved in two other cases of similar nature registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and for the said reason, he has been implicated in the present case.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

I.G, Prohibition, Bihar is directed to obtain a report from Superintendent Excise, Patna with respect to the steps taken by him in stopping the illicit trade of liquor and manufacturing within the district of Patna.

A report is also required to be submitted before I.G, Prohibition, Bihar by the District Transport Officer, Patna giving details of the Tata Magic vehicle bearing Registration No. BR-01 GF/3738 in view of the fact that petitioner has denied that he



is neither the owner of the said vehicle nor the alleged illicit liquor which was recovered from the said vehicle belongs to him.

I.G., Prohibition, Bihar is directed to submit a detailed report before the Court below with respect to the steps taken by him to stop the smuggling and manufacturing of both country-made liquor as well as the foreign made liquor inside the territory of Bihar in general and particularly with respect to the District of Patna which is the state capital.

The said report is also required to be furnished before the Chief Secretary, Bihar, who is monitoring and is formulating the measures for checking the illicit trade of liquor in the State of Bihar and is taking steps to implement the law in its objective manner.

Considering the fact that petitioner has pleaded his innocence, the Court below is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 200,000/- (Rupees Two Lacs) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City in connection with Special Case No. 2372 of 2020 arising out of Alamganj P.S. Case No. 183 of 2020 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

The Court below is directed to submit the report as furnished by the I.G., Prohibition, Bihar before the Registrar General, Patna High Court, for taking necessary action.

Such report is required to be submitted by the I.G., Prohibition, Bihar within two weeks from the date of communication of this order.

(Purnendu Singh, J)

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