

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17018 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- KALER District- Jehanabad

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RAMJINISH KUMAR SON OF AJAY KUMAR SINGH R/O VILLAGE-
HIDAYATPUR, P.S.- MAHUA, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kaler

P.S. Case No. 89 of 2021, Excise Case No. 1228 of 2021

registered for the offences punishable under Sections 30(a), 42

of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, informant alongwith his

other associates proceeded for raid on NH 139 and during

course of checking, one pickup van was stopped and

interrogated the driver and the driver disclosed his name as

Ramjinish Kumar (Petitioner). On search total 536.40 litre illicit

English wine was recovered from the vehicle in question.



Learned counsel for the petitioner submits that petitioner is in custody since 22.12.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. Seizure list has not been prepared in accordance with law.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No. II, Jehanabad in connection with Kaler P.S. Case No. 89 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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