

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17153 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BALIGAON District- Vaishali

Ramu Ram aged about 34 years, Son of Deeplal Ram Resident of Village-
Baledam, Police Station - Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-07-2022 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 Baligaon
P.S. Case No. 01 of 2022, registered for the offence under
Sections 30(a), 32(2) and 41(i) of the Bihar Prohibition and
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.01.2022.

The allegation against the petitioner is to involve in
the illegal business of illicit liquor, where 142.560 liters of
foreign liquor was recovered from a tiled house, situated in front
of the house of the petitioner.



Learned counsel appearing on behalf of the petitioner submitted that, admittedly, recovery is not made from the house of the petitioner, rather same is from tiled house, situated in front of house of the petitioner, as per FIR. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that the alleged recovery of illicit liquor was from tiled house, situated in front of house of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery is not made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Baligaon P.S. Case No. 1 of 2022 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 Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur,



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 Diplal Ram, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shweta/-

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