

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19811 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- BAUNSI District- Banka

RAMANAND MISHRA SON OF LATE RUDRA NARAYAN MISHRA
RESIDENT OF VILLAGE- BRAHAMPUR, PS- BOUNSI, DISTRICT-
BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-07-2022 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
Special Excise Case No. 278 of 2022 arising out of Bounsi P.S.
Case No. 68 of 2022 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2018.

As per prosecution case, total 116.550 litres liquor
has been recovered from the bus in question and petitioner is the
Khalasi of said bus. It is further alleged that the liquor is of one
Uday Rai (co-accused) who is traveling in the bus and petitioner



loaded the liquor in bus for greed of money.

Learned counsel for the petitioner submits that petitioner is in custody since 17.03.2022. Petitioner bears criminal antecedent of one case. 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 the alleged illicit liquor belongs to co-accused Uday Ray and petitioner has no concern with co-accused.

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, 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 Additional District and Sessions Judge-II, Banka in connection with Special Excise No. 278 of 2022 (arising out of Bounsi P.S. Case No. 68 of 2022, 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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