

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21954 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- KATRA District- Muzaffarpur

PRAMOD DAS Son of Ramashish Das R/O Village - Dargah, P.S.- Katra,
Dist.- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2022 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 Katra
P.S. Case No. 80/2022 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, alleged recovery of total
40 liters of toddy Taari was being recovered from the house of
the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The petitioner was neither apprehended on the spot nor



anything was recovered from the conscious possession of the petitioner. The said recovery was made from back side of the hut of the petitioner and the said place was open from all sides. The petitioner is in custody since 10.03.2022 and petitioner bears criminal antecedent of one case of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

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

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** 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, Muzaffarpur in connection with Katra P.S. Case No. 80/2022, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who 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 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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