

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21726 of 2022

Arising Out of PS. Case No.-51 Year-2020 Thana- BARHARIA District- Siwan

RAMNATH RAM Son of Late Sheo Prasad Ram Resident of Village - Rohra
Mahuwa Tola, P.S.- Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-07-2022 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
Barharia P.S. Case No. 51 of 2020 registered for the offences
punishable under Sections 272, 273 and 34 of the I.P.C. and
Sections 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 1235.52 litres foreign liquor from the vehicle in question. In
the FIR, it was informed by the informant that upon seeing the
police personnel some persons started running but one co-
accused namely Suraj Kumar was apprehended and disclosed
the name of the petitioner who managed to escape away from



the place of occurrence.

Learned counsel for the petitioner submits that petitioner is in custody since 14.01.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner has got no concern with the alleged liquor or vehicle.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case 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 Excise Court No. 1, Siwan in connection with Baharia P.S. Case No. 51 of 2020, 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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