

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23204 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- PIPRAHI District- Sheohar

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SUGA RAUT Son of Kodai Raut Resident of village - Hariharpur Dekuli Dharampur, P.S.- Piprahi, District - Sheohar. The correct resident of village is Hariharpur Dekuli Dharampur but in F.I.R. it has been wrongly written as Hariharpur only.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Veena Rani Prasad

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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 Piprahi P.S. Case No. 243 of 2021 registered for the offences punishable under Sections 30(a), 30(b), 30(c) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, on information, informant reached near the house of petitioner and saw that after seeing the police personnel some people started fleeing away. On search, police recovered altogether 60 liters country made liquor, 270 litres of semi furnished liquor and other articles



beside the house of Suga Raut (petitioner) and Saheb Raut.

Learned counsel for the petitioner submits that petitioner is in custody since 27.01.2022. 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 conscious possession of the petitioner. It is evident from the seizure list itself that the place of recovery is an open place. Petitioner is not apprehended on spot.

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 Additional Sessions Judge-II-cum-Special Judge (Excise), Sheohar in connection with Piprahi P.S.



Case No. 243 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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