

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23587 of 2022

Arising Out of PS. Case No.-693 Year-2019 Thana- SONEPUR District- Saran

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RAMESH RAY S/o Prabhu Rai Resident of Village- Sabalpur Newal Tola,
P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-07-2022 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

Sonepur P.S. Case No. 693 of 2019 registered for the offences

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act.

As per prosecution case, there is alleged recovery

of 300 litre country made liquor from the house of the petitioner.

It is alleged that on seeing police personnel petitioner fled away

from the place of occurrence.

Learned counsel for the petitioner submits that

petitioner is in custody since 01.03.2022 and bears criminal



antecedent of one case of different nature in which he is on bail. 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 was not apprehended on the spot and nothing has recovered from the conscious possession of the petitioner.

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, the petitioner was not apprehended on the spot, 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 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Sonapur P.S. Case No. 693 of 2019, 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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