

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24519 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- KALUAHI District- Madhubani

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Ravi Kumar Jha Son Of Paswan Jha @ Pawan Kumar Jha Resident Of Village
- Haripur Baxi Tole, P.S.- Kaluahi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through
video conferencing.

Petitioner seeks bail in a case registered in
connection with Kaluahi P.S.Case No. 34 of 2022 for the
offences punishable under Sections 279, 337, 272, 273/34
of the Indian Penal Code and section 30(a) of the Bihar
Prohibition & Excise Act 2016.

As per the prosecution case, it is alleged that while
the police was on patrolling duty, intercepted the pick-up-
van and on search being made altogether 123 liters indian



made foreign liquor has been recovered.

It is submitted by the learned counsel for the petitioner that petitioner was neither arrested on the spot nor any incriminating article has been recovered from conscious or constructive possession of the petitioner. It is submitted that petitioner is only being bona-fide owner of the pick up van, his name has been implicated in this case, though the fact is that the van was running on rent/fare. It is next submitted that the petitioner is a man of fair antecedent and he is in custody since 05.04.2022. Moreover, investigation is completed and charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from a pick-up-van, which was being run on rent/fare and this petitioner was neither arrested on the spot nor any incriminating article has been recovered from possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/-



(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise , Madhubani in connection with Kaluahi P.S.Case No. 34 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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