

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26023 of 2022

Arising Out of PS. Case No.-967 Year-2019 Thana- ALAMGANJ District- Patna

RAVI KUMAR @ RAVI YADAV @ RAVI RAI S/o Bijli Yadav @ Bijli Ray
R/o village- Naujar Ghat, Chitragupt Mandir, P.S.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 03-08-2022 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
Special Case No. 11707/2019 arising out of Alamganj P.S. Case
No. 967 of 2019 registered for the offences punishable under
Sections 30(a), 38(2), 41(1) of the Bihar Prohibition and Excise
Amendment Act.

As per prosecution case, there is alleged recovery
of 800 litres illicit country made mahua liquor from the place of
occurrence. The petitioner and others fled away from the place
of occurrence. The name of petitioner has been transpired on
secret information.



Learned counsel for the petitioner submits that petitioner is in custody since 22.02.2022. Petitioner bears criminal antecedent of three cases of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further nothing has been recovered from the conscious possession of the petitioner. The name of petitioner has been transpired by police merely on suspicion.

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, 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 after framing of charge on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Special Case No. 11707 of 2019 arising out of Alamganj P.S. Case No. 967 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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