

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26407 of 2022

Arising Out of PS. Case No.-214 Year-2021 Thana- BELA District- Sitamarhi

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JAI KISHORE RAM Son of Late Yogeshwar Ram Resident of Village -
Lahuriya, P.s.- Bela, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Adv. Smt.Divya Bharti, Adv.
For the Opposite Party/s :		Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-08-2022 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 Bela

P.S. Case No. 214 of 2021 registered for the offences punishable

under Section 30(a) of the Bihar Prohibition and Excise Act,

2018.

As per prosecution case, there is alleged recovery

of 207 litres Nepali Saufi wine from the place of occurrence. On

seeing the police, five persons started fleeing away and one of

the person apprehended who disclosed the name of the

petitioner and others who fled away from the place of



occurrence.

Learned counsel for the petitioner submits that petitioner is in custody since 02.02.2022 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 petitioner is innocent and has committed no offence. It is further submitted that the petitioner was not apprehended on the spot.

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, 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 Exclusive Special Excise Court-I, Sitamarhi in connection with Bela P.S. Case No. 214 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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