

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26941 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- KATEYA District- Gopalganj

Ravindra Ram S/o Sita Ram R/o village- Jafarpatti, P.S.- Raja Pakar, District-
Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kateya
P.S. Case No. 97 of 2022 registered for the offence punishable
under Section 414 of IPC and Section 30(a) of the Bihar
Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 180 litres of IMFL liquor from the dicky of the Car



bearing registration no. UP57N7195.

Learned counsel appearing on behalf of the petitioner submitted that the recovery of illicit liquor is from the dicky of the car, and as such it cannot be said that same has been recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that alleged recovery of illicit liquor was made from the dicky of the car.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kateya P.S. Case No. 97 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-cum-Special Excise Court-I, Gopalganj, subject to the following



conditions:

(i) *Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

(ii) *That one of the bailors shall be Sita Ram, who is the father of the petitioner and deponent of the present bail petition.”*

(Chandra Shekhar Jha, J)

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