

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27942 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- BAIRIYA District- West Champaran

Duryodhan Ram @ Duryoghan Ram S/o Late Jairam Ram Resident of Village
- Laukariya, Mauje Tola, P.S. - Bairiya, District- West Chjamparan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2022 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 Bairiya P.S. Case No. 30 of 2022 for the
offences punishable under Sections 30(a) of the Bihar
Excise (Prohibition) Amendment Act, 2018.

As per the prosecution case, it is alleged that the
police on secret information intercepted a Scorpio and on
search total 61.965 liters foreign made liquor was
recovered. It is further alleged that on the disclosure made



by the petitioner and co-accused persons 102.600 liters liquor was recovered from the Bushes near Bathana Ghat.

Learned counsel for the petitioner submits that the petitioner has neither any concern with the vehicle nor with the alleged recovered liquor. It is next submitted that the petitioner is a man of fair antecedent and is in custody since 05.02.2022 and only because of suspicion his name has been implicated in this case. It is next submitted that co-accused Ram Narayan Sah, who was apprehended by the police has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 22476 of 2022 vide order dated 6.05.2022 and though the investigation of the crime is concluded and the 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 petitioner had neither any concern with the seized vehicle nor with the illicit liquor. Moreover, petitioner is in custody since 05.02.2022 and investigation of the crime is concluded and the charge sheet has been submitted. There is no likelihood of



commencement of trial in near future, 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, Bettiah, West Champaran in connection with Bairiya P.S.Case No. 30 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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