

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40309 of 2021

Arising Out of PS. Case No.-115 Year-2021 Thana- GHOSI District- Jehanabad

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RAMJEE YADAV S/O KRISHNA YADAV R/o village- Chunukpur, P.S.-
Ghosi, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 10.05.2021 seeks
regular bail in connection with Ghosi P.S. Case No. 115 of 2021
registered for offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Prosecution case in brief is that 2652 litres of India
made foreign liquor was recovered from the truck bearing
Registration No. BR25G-3455. No one was arrested on the spot
and the name of the petitioner was taken by the spy.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and due to some previous enmity he has been roped in the present case whereas the main accused who is the owner of the vehicle as well as the supplier of the illicit liquor has been set free. He further submits that petitioner is in custody since 10.05.2021 and he has got no criminal antecedent.

Learned A.P.P., however opposes the prayer for bail.

Considering the above mentioned facts and circumstances of the case and the petitioner having no criminal antecedent, the petitioner is directed to be released on bail after ascertaining the owner of the vehicle bearing Registration No. BR25G-3455 from the District Transport Officer, Muzaffarpur, upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Jehanabad in connection with Ghosi P.S. Case No. 115 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel their bail bond.

(Purnendu Singh, J)

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