

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33756 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- RIVILGANJ District- Saran

AJIT RAI S/o Jawahir Rai R/o village- New Basti Pokharpur, P.S.- Bhagwan
Bazar, District- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-08-2022 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 in virtual court proceeding.

The petitioner seeks bail in connection with
Revelganj P.S. Case No. 85 of 2022 registered for the offences
punishable under Sections 414/34 of the I.P.C. and Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery
of 140 litre illicit liquor from motorcycle in question and
petitioner was caught on the spot. It is also alleged that two
mobiles with Sim and Rs. 860 was recovered from pocket of the
petitioner.

Learned counsel for the petitioner submits that



petitioner is in custody since 16.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner has no concern either with the motorcycle or with the seized liquor. Petitioner has falsely been implicated in this case due to highhandedness of the police.

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, 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 2nd Exclusive Special Judge, Excise, Saran at Chhapra in connection with Revelganj P.S. Case No. 85 of 2022, 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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