

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46984 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- DAWATH District- Rohtas

HARE RAM SINGH @ HARE RAM SINGH YADAV, Son of Late Sheodhari Singh @ Sidhari Singh Resident of Village - Dhawai, P.S.- Dawath, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 04.03.2021, seeks regular bail in connection with Dawath P.S. Case No. 16 of 2021 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in brief, is that altogether 501.12 litres of illicit Indian Made Foreign Liquor was recovered from the house of Dharmnath Singh.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has no concerned with the house of



Dharmnath Singh. He further submits that petitioner has been roped in the present case only on the basis of one another case bearing Sasaram (Town) P.S. Case No. 677 of 2020, which has been wrongly taken note of. He further submits that his regular bail was also rejected by the Court below considering the said Sasaram (Town) P.S. Case No. 677 of 2020 in which petitioner is not named accused some other person having the same name as that of petitioner belonging to village-Sonbarsa, P.S. Kargahar, District-Rohtas has been named accused in the said case, while the petitioner belongs to village-Dhawai, P.S. Dawath, District-Rohtas and due to this the petitioner is rotting in custody since 04.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the Court below is directed to verify the identity of the petitioner and if it is found that some other person having the same name as that of the petitioner is involved in the case, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas



at Sasaram in connection with Dawath P.S. Case No. 16 of 2021, subject to the following conditions:-

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

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

(3) If the petitioner tampers 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.

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

(Purnendu Singh, J)

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