

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34481 of 2022**

Arising Out of PS. Case No.-467 Year-2019 Thana- MINAPUR District- Muzaffarpur

Ravindra Thakur Son of Chandeshwar Thakur R/O- Vill-Daud Chhapra, P.S.-  
Minapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Vaishnavi Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

**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 through virtual mode.

The petitioner seeks bail in connection with Minapur  
P.S. Case No. 467/2019 registered for the offences punishable  
under Section 30(a) (c)/41 of the Bihar Prohibition and Excise  
Act, 2016.

As per prosecution case, there is alleged recovery of  
total 380.070 liters foreign liquor from the two motorcycles in  
question which were parked in the husk house of the petitioner.  
The petitioner and others were fled away from the place of  
occurrence.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. The petitioner was not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner. The petitioner was neither concerned with the alleged husk house nor bathan and the alleged place of occurrence situated at a distance of half kilometer from the house of the petitioner. The alleged place of occurrence was a joint family property. He further submits that the seized two motorcycles do not belong to the petitioner in which one motorcycle belong to co-accused, Mukesh Kumar and another motorcycle belongs to son of the petitioner. The petitioner is languishing in custody since 03.04.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Mukesh Kumar has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.63172/2019, the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner was not apprehended on the spot,



charge sheet has already been submitted and keeping in view clean antecedent of petitioner 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 Exclusive Special Excise Court No.1, Muzaffapur in connection with Minapur P.S. Case No. 467/2019, 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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