

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44132 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- KHAIRA District- Jamui

Vikash Kumar Ramani S/o Nakul Ramani Resident of Batpar, P.S.- Chakai,
District- Jamui- 811303

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2022 Heard the parties through the video conferencing.

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

Petitioner who is in custody since 2.6.2021 seeks
regular bail in connection with Khaira P.S. Case No. 163 of
2021 registered for the offence punishable under sections 273,
273/34 of the Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

Prosecution case in brief is that the police personnel
while making search found a pick-up van bearing registration
no. JH10CD-2318, coming towards Chakai, two persons
including this petitioner were apprehended and from whose
possession 262.500 liters of foreign liquor of different brands
were seized. Seizure list was prepared and handed over it to the



accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. Neither the petitioner is owner of the vehicle nor he is in any manner concerned with the said vehicle. Learned counsel further submits that the petitioner belongs to Chaira Thana and he has just taken lift on the said vehicle and he was not aware of seized liquor loaded on the vehicle.

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

Considering the above mentioned fact and circumstances of the case and petitioner having clean antecedent, the Court below is directed to verify the fact as to who is owner of the aforesaid vehicle and the petitioner in any manner is not connected with the aforesaid vehicle and on being satisfied, release the petitioner named above on bail considering the fact that the petitioner is the sole breadwinner of the family on furnishing bail bond of Rs. 100,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Jamui, in connection with Khaira P.S. Case No. 163 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 cooperate 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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