

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36236 of 2022**

Arising Out of PS. Case No.-93 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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RAVINDRA RAI @ LANGRA SON OF RAM LAGAN RAI R/O
VILLAGE- JITWARPUR CHOUTH DIH, WARD NO.-3, P.S.-
SAMASTIPUR (MUFFASIL), DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh

For the Opposite Party/s : Ms.Renu Kumari

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**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 Excise
Case No. 93/221 Samastipur registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

As per prosecution report, there is alleged recovery
of 208.44 litre illicit English wine from the banana orchard
which is adjacent to the house of petitioner and petitioner and
other fled away from the spot.

Learned counsel for the petitioner submits that



petitioner is in custody since 18.04.2022 and bears criminal antecedent of one case of similar nature. Prosecution report has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is not apprehended on the spot. Petitioner is not owner of banana orchard. Petitioner has no concern with the seized liquor.

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, petitioner is not apprehended on the spot, prosecution report 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, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 2, Samastipur in connection with Excise Case No. 93/21, 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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