

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46406 of 2021**

Arising Out of PS. Case No.-167 Year-2021 Thana- SAKRA District- Muzaffarpur

=====

SANJEEV RAM @ SANJEEV KUMAR @ SANJEEV KUMAR RAM Son
of Ram Pravesh Ram R/o Village- Firojpur, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-01-2022 Heard the parties through video conferencing.

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

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

Petitioner who is in custody since 13.06.2021 seeks
regular bail in connection with Sakra P.S. Case No. 167 of 2021
registered for offence punishable under Section 30(a) of the
Excise Act, 2016.

Prosecution case in brief is that altogether 36 litres of
illicit liquor was recovered from one Bolero vehicle bearing
Registration No. BR06CN-4771. In course of the said search
one Farooq was arrested who has named the present petitioner.

Learned counsel appearing on behalf of the petitioner



submits that he has no concern with the co-accused Farooq who in his confessional statement has given the name of the petitioner. Petitioner was neither arrested on the spot nor any incriminating article has been recovered from his possession or from his house. The petitioner is in custody since 13.06.2021 and has got no criminal antecedent.

Learned A.P.P. however, opposes the prayer for bail.

Considering the facts and circumstances of the case, as well as there is no allegation of tampering the evidence or influencing the witnesses against the petitioner, the petitioner is directed to be enlarged to bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Sakra P.S. Case No. 167 of 2021 subject to the following conditions:

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

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

(iii) 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.

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

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

