

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37341 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- RATANPUR District- Supaul

=====

Raushan Kumar Raman @ Raushan Kumar, Son of Lakashman Mehta @
Lakashman Prasad Mehta, R/O Village- Sanskrit Nirmali, P.S.- Baluaa Bazar,
Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-09-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Saroj Kumar Sharma, learned counsel for
the petitioner and learned APP for the State through video
conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Ratanpura P.S. Case No. 60 of 2021 registered
for the offences punishable under Section 30(a) Bihar
Prohibition & Excise Act, 2018.

As per the prosecution case, it is alleged that the
police on a secret information raided the land of Sushil Mishra
and on search total 5982 litres of spirit was recovered. It is



further alleged that the local villagers disclosed the name of other associates including the petitioner.

Learned counsel for the petitioner submits that the petitioner was neither apprehended at the spot nor any incriminating material has been recovered and save and except the disclosure made by the local villagers, there is no other material suggesting the complicity of the petitioner in the present crime. He next submits that other co-accused person, having identical allegation, has already granted bail by learned co-ordinate Bench of this Court. He lastly submits that the petitioner, having fair antecedent, is in custody since 02.04.2022.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the facts that the petitioner was neither arrested at the spot nor any incriminating material has been recovered and similarly situated co-accused person has already been granted bail by the learned co-ordinate Bench of this Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Supaul in connection with



Ratanpura P.S. Case No. 60 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

uday/-

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

