

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46906 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- BAISI District- Purnia

RAVINDRA MAHALDAR Son of Gopaal Mandal @ Gopal Mahaldar
Resident of Village - Sadhuwali (Garbanaili), P.S.- Kasba, Distt.- Purnia.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv
For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 04.07.2021 seeks
regular bail in connection with Special Case No. 132 of 2021
arising out of Baisi P.S. Case No. 191 of 2021 registered for
offence punishable under Sections 272, 273 of the I.P.C and
Section 30(a), 41/47 of the Bihar Prohibition and Excise Act,
2016.

Prosecution case in brief is that altogether 123 litres
of foreign liquor was recovered from a tempoo concealed by
boxes containing mango. The petitioner was apprehended on the
spot while he tried to escape.



Learned counsel appearing on behalf of the petitioner submits that petitioner has no concern either with the tempo bearing Registration No. BR 11T 5200 or with the alleged seized liquor which was recovered from the said tempoo. He further submits that petitioner has clean antecedent and he is in custody since 04.07.2021.

Learned A.P.P. has opposed 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 above named 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), Purnea in connection with Special Case No. 132 of 2021 arising out of Baisi P.S. Case No. 191 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 his bail bond.

(Purnendu Singh, J)

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