

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48275 of 2021

Arising Out of PS. Case No.-312 Year-2021 Thana- SAKRA District- Muzaffarpur

RAVI KUMAR S/o Laxmi Sah R/o village- Paigambarpur, P.S.- Sakra
(Bariyarpur O.P.), Distt.- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for 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 27.06.2021 seeks
bail in connection with Sakra (Bariyarpur O.P.) P.S. Case
No.312/2021 registered for the offence punishable under
Sections 272/273 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case in brief, is that altogether 135
liters of illicit liquor was recovered from a maruti car bearing
registration no.BR1W-9179 in front of the house of the



petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner was not found at the time of seizure of the vehicle at his residence. He further submits that the petitioner has no concern with the alleged illicit liquor neither with the car nor the said car is registered in the name of the petitioner. The petitioner has been just roped in the present case as the abandoned car was found near the house of the petitioner. The raiding team has not endeavour to get the proper information about the car from the concerned District Transport Officer and the petitioner has been made accused without committing any offence.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case, it is directed that the court below after verifying the criminal antecedent of the petitioner and if no other criminal case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac Only) with two sureties of the like amount each to the satisfaction of learned Special Judge,



Excise Act, Muzaffarpur in connection with Sakra (Bariyarpur O.P.) P.S. Case No.312/2021, subject to the following conditions:

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

(2) Petitioner shall co-operate 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 petitioners.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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