

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48390 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- KARAMCHAT District- Kaimur (Bhabua)

RAM PARVESH SHAH @ RAM PARVESH S/o RAM JEE SHAH R/o
MALIHIPUR, P.S-CHENARI, DISTRICT-ROHTAS (SASARAM).

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Deepak Kumar
		Mr. Satyendra Kumar Bhatnagar
For the Opposite Party/s :		Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2022 Heard learned counsel for the parties through virtual court proceedings.

The petitioner seeks regular bail in connection with Karamchat Police Station Case No. 65 of 2020, registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018 .

The prosecution case as per the First Information Report is that the police on the basis of secret information, proceeded towards the place of occurrence and upon seeing the police party five persons succeeded in fleeing away after crossing Durgawati river and the police recovered a total quantity of 06 litres of *Mahua* country liquor and 1600 kgs. of fermented *Mahua* from the bank of the Durgawati river.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of secret information and disclosure of his name by the local Chaukidar. He further submits that petitioner has got no criminal antecedent and no illicit liquor has been recovered from the conscious possession and / or premises belonging to the petitioner, rather the illicit liquor and fermented *Mahua* has been recovered from the bank of Durgawati river which is an open space accessible to all and sundry. He further submits that similarly situated co-accused / Shastri Pasi @ Dharmendra Shastri has been granted bail by this Court in Cr. Misc. No. 42075 / 2021. He further submits that petitioner is in custody since 11.06.2021, charge sheet has been submitted against the petitioner and there is no likelihood that the petitioner will abscond and / or tamper with the evidence if released on bail.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record , the fact that no illicit liquor has been recovered from the possession of the petitioner, he is in custody since 11 / 6 / 2021, charge sheet has already been submitted, there is no likelihood of the trial being concluded in near future due to pandemic and similarly situated co-accused



has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Kaimur at Bhabua in connection with Karamchat Police Station Case No. 65 of 2020.

(Anil Kumar Sinha, J)

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