

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40079 of 2022

Arising Out of PS. Case No.-307 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

RAVI TRIVEDI S/o Krishnmohan Trivedi R/o village- Matlupur, P.S.- Piar
(Hatha O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.
For the Opposite Party/s : Mr. Abhay Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-09-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Ajay Kumar Tiwary, learned counsel for
the petitioner as well as learned Additional Public Prosecutor for
the State.

At the outset, learned counsel for the petitioner filed a
supplementary affidavit submitting therein that on account of
inadvertence, the name of the petitioner has been wrongly
mentioned as Rani Trivedi in place of Ravi Trivedi.

Let the name of the petitioner be read as Ravi Trivedi
in place of Rani Trivedi.

The application for grant of bail to the petitioner,



above named, who has been made accused and put behind the bar in connection with Excise P. S. Case No. 307 of 2020 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, it is alleged that the police, on a secret information, raided Anganbari Centre No. 58. On search, total 551.30 litres illicit liquor was recovered, however, on noticing the police party, all the accused persons succeeded in fleeing away.

Learned counsel appearing on behalf of the petitioner submitted that so far the Anganbari Centre, from where the recovery has been made, is concerned, the same is given on rent and is used by appointed Sevika and Sahaika, who are not the family members of the petitioner. It is also submitted that the petitioner has neither any concern with the Anganbari Centre nor with the illicit wine, which is said to have been recovered from the Centre. It is further submitted that only because of one past criminal antecedent, his name has been implicated in this case, though, the petitioner is in custody since 25.03.2022 and after completion of the investigation, charge-sheet has been submitted and there is no likelihood of commencement of the trial in near future.



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

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner was neither apprehended at the spot nor any incriminating material has been recovered from his conscious or constructive possession and the Centre from where the recovery has been made, was given on rent. Further, the investigation of the crime is already completed and charge sheet has been submitted and there is no likelihood of commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge Excise, Muzaffarpur in connection with Excise P. S. Case No. 307 of 2020, subject to the condition that one of the bailors will be the close relative 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.
- (v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Harish Kumar, J)

shakir/-

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

