

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41156 of 2022**

Arising Out of PS. Case No.-72 Year-2022 Thana- BUXAR RAIL P.S. District- Bhojpur

RAJNU RAM @ RAGNU RAM SON OF DASHRATH RAM R/O
VILLAGE- ISMAILPUR, P.S.- BUXAR MUFASSIL, DISTRICT- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 25-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Buxar
Rail P.S. Case No. 72 of 2022 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise(Amendment) Act, 2018.

As per prosecution case, there is alleged recovery
of 16.5 litres foreign liquor from the trolley bag of the petitioner
and he was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 26.04.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that seizure list has not been made as per law.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Bhojpur, Ara in connection with Buxar Rail P.S. Case No. 72 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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