

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41651 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- KIUL District- Lakhisarai

Ravindra Kumar @ Ravinda Kumar S/o Sitaram Yadav R/o village-
Lakhochak, P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate.

For the Opposite Party/s : Mr. Surendra Kumar, A.G.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Mayank Bilochan, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Kiul P.S. Case No. 57 of 2022 , for the offences punishable Section 30(a) of the Bihar Prohibition of Excise Amendment Act, 2018.

The police on a secret information intercepted two persons, who were riding on a motorcycle and on search total 90 liters of country made *mahua* liquor was recovered. The petitioner along with other co-accused person were apprehended at the spot.



It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner has neither any concern with the motorcycle nor with the illicit wine. He further submitted that there is no compliance of Section 100 of the Cr.P.C., apart from defiance of Sections 81 and 82 of the Bihar Prohibition and Excise Act, 2016. He also submitted that on the alleged date of occurrence, without knowing the fact as to what was being carried by the co-accused, he was sitting behind him and in the meantime he was apprehended by the police, though the petitioner had no knowledge about the same. He last submitted that the petitioner having fair antecedent, is in custody since 15.04.2022 and moreover, the investigation of the crime is already complete and the charge-sheet has been submitted.

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

Regard being had to the submissions made on behalf of the parties and considering the fact that investigation of the crime is already complete and the charge-sheet has been submitted and the petitioner is in custody since 15.04.2022 , let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V-cum- Exclusive Special Court-2 Excise Act, Lakhisarai, in connection with Kiul P.S. Case No. 57 of 2022, subject to the condition that one of the bailors will be the close relatives 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.

(Harish Kumar, J)

manoj/-

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

