

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44200 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- PIYAR District- Muzaffarpur

Rajesh Ram, Son of Vishwanath Ram, R/O Village- Bahadurgarh Piar, P.S.-
Piar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-10-2022 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. Pranav Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Piar P.S. Case No. 106 of 2022 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment), Act 2016-18.

The police on a secret information, that some persons are engaged in selling of illicit toddy, raided the place of occurrence and from the house of co-accused 'Md. Muslim', 40



liters of illicit toddy was recovered. It is further alleged that on noticing the police party, other co-accused persons tried to flee away, however, they were apprehended.

Learned counsel appearing on behalf of the petitioner submits that from the FIR it would be evident that the alleged recovery has been made from the house of the co-accused 'Md. Muslim' and no recovery has been made from the person or possession of the petitioner. He further submits that the petitioner, having fair antecedent, is in custody since 19.05.2022 and now the investigation of the crime is already complete and 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 the alleged recovery has been made from the house of the co-accused 'Md. Muslim' and so far the petitioner is concerned, he is having fair antecedent, is in custody since 19.05.2022 and, moreover, the investigation of the crime is already complete and charge-sheet has been submitted, 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 Exclusive Special Judge (Excise), Court No.-II, Muzaffarpur in connection with Piar P.S. Case No. 106 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)

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