

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44135 of 2022

Arising Out of PS. Case No.-80 Year-2020 Thana- BIKRAM District- Patna

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Ramakant Singh @ Ramakant Sharma @ Kariman Singh Son Of Jagdish
Sharma Resident Of Village- Benibigha, P.S.- Bikram, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Special

Excise Case No. 1985 of 2020, arising out of Bikram P.S.

Case No 80 of 2020, registered for the offences punishable

under Section 30(a) of Bihar prohibition and Excise Act and

Sections 8, 20 and 22 of N.D.P.S Act.

As per allegation, 837 bottles of illicit foreign liquor

and 3.95 Kg of Ganja has been recovered from the house of

the petitioner.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in



this case. He further submits that the seized material has not been recovered from the conscious possession of the petitioner. He also submits that he has been languishing in jail since 06.03.2022. He further submits that the quantity of alleged narcotics recovered is small and much below the commercial quantity.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved before this Court vide Cr. Misc. No. 7009 of 2021, which was rejected vide order dated 24.03.2022.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in five more cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, particularly the quantity of the recovered contraband, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Special Excise Judge, Danapur, Patna



in connection with Special Excise Case No. 1985 of 2020 arising out of Bikram P.S. Case No 80 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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