

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54659 of 2021**

Arising Out of PS. Case No.-568 Year-2020 Thana- SITAMARHI District- Sitamarhi

RAVI KUMAR @ RAVI RANJAN SINGH SON OF KHANMUK SINGH @
NAGENDRA SINGH RESIDENT OF VILLAGE- BARIYARPUR, P.S. AND
DISTT.- SITAMARHI (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 21-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Sitamarhi P.S.
Case No. 568 of 2020 registered for the offences punishable
under Sections 30(a)/36 of the Bihar Prohibition and Excise Act.

There is recovery of 448.20 litres of illicit liquor.

Learned counsel for the petitioner submits that
petitioner has committed no offence and he has falsely been
implicated in the present case. It is further submitted that it



appears from the FIR that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from open place of one Subhash Singh. It is further submitted that co-accused Ravi Kumar Chaudhary has been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 05.07.2021 passed in Cr. Misc. No. 24514 of 2021. Similarly, co-accused Rishi Kumar has been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 13.07.2021 passed in Cr. Misc. No. 28467 of 2021. Petitioner is in custody since 29.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge (Excise), Sitamarhi in connection with Sitamarhi P.S. Case No. 568 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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