

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54819 of 2021

Arising Out of PS. Case No.-86 Year-2021 Thana- AMBA District- Aurangabad

RAVINDRA KUMAR Son of Vishun Bhuiyan Resident of Village - Jauda
(Jaura), P.S. - Chhattarpur, District - Palamu (Jharkhand).

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Leelawati Kumari, Advocate.
For the State : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 09-02-2022 The applicant is given out of turn hearing on the ground
of marriage in the family.

The applicant is an accused in Crime No.86 of 2021 registered with Police Station-Amba for the offences punishable under Sections 30(a) (c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Heard learned counsel appearing for the applicant/accused. He argued that the applicant is not having any criminal antecedents and according to the prosecution case he was found to be travelling in four wheeler vehicle from which 202.500 liters of illicit liquor is claimed to have been seized.

The learned A.P.P. opposed the application by contending that one of the vehicles involved in the incident was found to be stolen.



I have considered the submissions so advanced and also perused the materials placed before me including the F.I.R..

In a routine checkup for detection of smuggling of liquor, police personnel from Police Station-Amba started checking of the vehicles. Several vehicles were found to be involved in the offences under different statutes. They all are arrayed in one F.I.R. So far as the present applicant is concerned, according to the prosecution case, he was travelling in a vehicle in which 202.500 liters of illicit liquor was found.

The investigation of the subject crime is over. The applicant is not having any criminal antecedents. Hence, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.86 of 2021 registered with Police Station-Amba for the offences punishable under Sections 30(a) (c) of the Bihar Prohibition and Excise (Amendment) Act, 2018, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.
- (IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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