

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48777 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- RAGHOPUR District- Supaul

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Tribhuvan Paudar @ Tribhuvan Pauddar Son Of Ram Narayan Paudar @
Ram Narayan Pauddar R/O Village- Durgapur (PIPRAHI), Ward No.015,
P.S.- Raghopur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Raghopur P.S. Case No. 230 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise(Amendment) Act, 2018.

As per prosecution case, police received secret
information that the petitioner on an Apache motorcycle was
coming to Sitamarhi with liquor. After seeing the police party,
the petitioner tried to flee away but he was apprehended. Total
2.625 liters Nepali country made liquor was recovered from the



motorcycle.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No such occurrence as alleged has ever taken place. The entire prosecution case is false and concocted. Nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 08.06.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that charge sheet has been submitted along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Incharge Special Judge, Excise, Supaul, in Court No. 2 in connection with Sessions Case, Excise No. 487 of 2022 arising out of Raghapur P.S. Case No. 230 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:



- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/Daya

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