

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48983 of 2022

Arising Out of PS. Case No.-273 Year-2021 Thana- PIPRAHI District- Sheohar

Vijay Ram, Son of Medhu Ram, R/V and Post- Dhankaul, P.S- Piprahi, Dist-
Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Piprahi P.S. Case No. 273 of 2021, registered
for the alleged offences under Section 30 (a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, the police received a tip off
about the petitioner and co-accused Ajay Ram storing country
made liquor in their house. The straw hut of the petitioner was
raided and the co-accused Chitranjan Pandit was apprehended
and the petitioner and the co-accused Ajay Ram fled away from
the spot. On search of the straw hut, 10 liters of country made



liquor and 300 liters of semi prepared liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has not been arrested from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has nothing to do with the recovered liquor. The co-accused persons have been granted bail by a Coordinate Bench of this Court vide order dated 15.07.2022 passed in Cr. Misc. No. 20871 of 2022. The charge sheet has been submitted in this case. The petitioner is in custody since 04.06.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from him and further considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he 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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Sheohar, in



connection with Piprahi P.S. Case No. 273 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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