

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62491 of 2021**

Arising Out of PS. Case No.-627 Year-2021 Thana- SITAMARHI District- Sitamarhi

RAVI KUMAR Son of Ram Shyam Chaudhari Resident of Village -
Bariyarpur, P.S.- Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

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

2 03-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sitamarhi P.S. Case No.627 of 2021, registered for the offence under Section 30 (a) and 36 of the Bihar Prohibition and Excise Act.

Recovery is of 172.800 liters of illicit wine.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner was working in Garage in question. He further submits that the owner of the



Garage is one Md. Naseer. He further submits that it appears from the FIR as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the Garage in question. He further submits that the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons and the petitioner is in custody since 08.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No.627 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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