

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54939 of 2022

Arising Out of PS. Case No.-434 Year-2022 Thana- DIGHA District- Patna

RAVINDRA KUMAR Son of Kamlesh Prasad @ Kamlesh Prasad Yadav @
Mukund Kumar R/o Mohalla Nasriganj, Biscuit Factory, Near Loha Plant,
PS- Danapur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Digha
P.S. Case No. 434 of 2022 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise
Amendment Act.

As per prosecution case, there is alleged recovery
of 1000 liter illicit wine from the Magic vehicle in question.
Petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.07.2022. Petitioner bears no



criminal antecedent. Learned counsel further submits that the petitioner is neither driver nor owner of the said vehicle. Nothing has been recovered from the conscious possession or personal possession of the petitioner. Petitioner is innocent and has falsely been implicated in this case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned special Judge, Excise Patna in connection with Digha P.S. Case No. 434 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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