

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65886 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- BUDDHACOLONY District- Patna

Ravi Kumar, S/o Late Dilip Rai, R/o Mohalla- Chakaram, P.S.- Buddha Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Special Case No. 3533/21, arising out of Buddha Colony P.S. Case No. 178 of 2021, registered for the alleged offences under Sections 30 (a), 36 and 41 of the Bihar Prohibition and Excise Act.

Allegedly, 202.575 liters of India made foreign liquor was recovered from a Car and the co-accused Amit Kumar named this petitioner, who used to supply the illicit liquor from door to door along with other accused persons.



The learned counsel appearing on behalf of the petitioner submits that the petitioner was not arrested from the spot. Nothing incriminating has been recovered from his conscious possession. The petitioner has been named in this case by the co-accused Amit Kumar in his confessional statement and he has nothing to do with the alleged recovery. The charge sheet has been submitted in this case and the petitioner is in custody since 28.08.2021.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been arrested from the spot and no recovery has been made from his possession and further considering the submission of charge sheet and the period of custody of the petitioner, 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 Special Judge, Excise, Patna, in connection with Special Case No. 3533 of 2021, arising out of Buddha Colony P.S. Case No. 178 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 Pachiya Devi,



mother of the petitioner, who has sworn the affidavit in this case.

(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.

(Arun Kumar Jha, J)

V.K.Pandey/-

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