

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56661 of 2022**

Arising Out of PS. Case No.-123 Year-2018 Thana- LAUKAHI District- Madhubani

Ram Chalitar Sah @ Ram Charitar Sah, Son of Bilat Sah, R/o- Kakardove,
P.S- Laukahi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 24-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, 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 Laukahi P.S. Case No. 123 of 2018 (G.R. No.
1035 of 2018) registered for the alleged offences under Sections
272, 273/34 of the Indian Penal Code, Section 25(1-b)a, 26, 35
of the Arms Act and Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per prosecution case, F.I.R. named co-accused
persons were apprehended with arms and ammunitions and 180
liters of country made Nepali liquor were recovered. The co-
accused persons named the petitioner for also being involved in



the offence.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated as he was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is not the owner of the motorcycle seized by the police and he has no concern with the allegedly recovered liquor or firearms. The petitioner has been arrested merely on suspicion and his name surfaced on confessional statement of co-accused persons. Learned counsel further submits that co-accused persons, namely, Manoj Kumar Sah, Lokesh Kumar Mahto and Pintu Yadav have been granted bail the different Co-ordinate Benches of this Court vide order dated 08.10.2018 passed in Criminal Misc. No. 612020 of 2018, order dated 20.10.2020 passed in Criminal Misc. No. 27319 of 2020 and 09.01.2019 passed in Criminal Misc. No. 71299 of 2018, respectively. The petitioner is in custody since 28.07.2022 and charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet and the period of custody of the



petitioner along with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 123 of 2018 (G.R. No. 1035 of 2018) , subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 for 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)

Ashish/-

U		T	
---	--	---	--

