

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57323 of 2022

Arising Out of PS. Case No.-484 Year-2022 Thana- ALAMGANJ District- Patna

RAVINDRA RAM Son of Jamun Ram Resident of Village- Sadikpur, Meena Bazar, Harizan Tola, P.S.- Alamganj, District- Patna (Ravindra Ray wrongly typed)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur,A.P.P.

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), 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 Alamganj P.S. Case No. 484 of 2022 registered
for the alleged offences under Sections 30(a) and 36 of the
Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the petitioner and the other
co-accused person were found selling country made liquor
which they have kept in jute bags. 80 liters of illicit country
made liquor was recovered from the jute bags kept by this
petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner as it is apparent from the F.I.R. Recovery was made from an open place and from two jute bags said to be belonging to this petitioner, but the petitioner has not concern with the alleged recovery. It is also not believable that the petitioner would be selling the illicit liquor in open as alleged by the prosecution. Charge sheet has been submitted in this case and the petitioner is in custody since 02.07.2022.

Learned APP for the State opposes the prayer for bail of the petitioner has one criminal antecedent of similar nature.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named 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 Exclusive Special Judge, Excise, Patna City in connection with Alamganj P.S. Case No. 484 of 2022, 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.

(Arun Kumar Jha, J)

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