

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68002 of 2021

Arising Out of PS. Case No.-264 Year-2021 Thana- LALGANJ District- Vaishali

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RAVI KUMAR S/o RAMADHAR SAHNI R/o village- Salempur, P.S.-
Lalganj, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-05-2022 Heard learned counsel appearing on behalf of the

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

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 264 of 2021 for the offence punishable
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

The allegation is of recovery of 60 litres of country
made liquor from the motorcycle of the petitioner bearing
Registration No. BR31AK5178 and 30 litres of country made
liquor was recovered from the motorcycle of co-accused
Kamlesh Kumar bearing Registration No. BR31K7340.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been



implicated in this case. Nothing has been recovered from conscious possession of the petitioner. He has no concern either with the manufacturing of liquor or its trade in any manner. Petitioner has clean antecedent and he is in custody since 23.07.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that the trade of illicit liquor is rampant in the State of Bihar. In spite of complete prohibition in the State, due to consumption of illicit liquor, people at large are dying everyday and they are suffering from various physical disorder, as such it would not be in public interest to release the petitioner on bail.

Court below is directed to obtain a report with respect to aforesaid two motorcycles bearing Registration Nos. BR31AK5178 and BR31K7340 and such report must be furnished by the District Transport Officer, Vaishali at Hajipur within a week after passing of this order to the court below and if the court below finds that the aforesaid two motorcycles are not stolen and they do not belong to the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of **Rs.25,000/- (Rupees twenty five thousand)** with two sureties of the like amount each to the satisfaction of the



learned Addl. Sessions Judge-II cum Excise Court, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 264 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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