

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72421 of 2021

Arising Out of PS. Case No.-278 Year-2021 Thana- MAIRWAN District- Siwan

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Ram Pratap Ram, Son of Late Ramayan Ram @ Late Ramayan Prasad,
Resident of Vill- Singahi, P.S. - Kotwali, Dist - Deoria (U P)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Mairwa P.S. Case No. 278 of 2021 registered
for the offences punishable under Section 30(a) of Bihar
Prohibition and Excise Act. He is in custody since 11.09.2021.
The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, while the informant was involved in
vehicle checking, he intercepted one Maruti car bearing
registration number BR/01/BR/1391 from which one person



namely the petitioner started escaping, he was caught and the informant recovered 131.355 litres of illicit liquor from the vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 11.09.2021. The vehicle in question does not belong to the petitioner.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission of learned counsel for the petitioner that the petitioner has no concern with the vehicle in question, he has remained in custody in connection with this case since 11.09.2021, he has no criminal antecedent, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IIInd-cum-Special Judge,



Excise, Siwan in connection with Mairwa P.S. Case No. 278 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that one of the bailors of the petitioners shall be the resident of Bihar having sufficient means.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

