

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72355 of 2021**

Arising Out of PS. Case No.-39 Year-2020 Thana- JADOPUR District- Gopalganj

Ragho Singh, Son of Raghunath Singh, R/O Village- Bhagwanpur, P.S.-  
Nautan, Bettiah, District- West Champaran, Bihar

... Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate  
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      20-06-2022              Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Indrajeet Bhushan, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Jadopur P.S. Case No. 39 of 2020 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, it is alleged that on a secret information, the police raided the spot situated at Malhori Ghat of Gandak river, near Dharampur village. It is further alleged that at about 4.00 AM, three boats loaded with eight persons were seen, but on seeing the police party all the persons started fleeing away by one boat, leaving two boats in the river. On



search being made total 178.40 litres of foreign liquor have been recovered. The fleeing persons were said to have been identified by the local Chaukidar, as Ragho Singh (petitioner), Malik Singh, Ajay Kumar Yadav, Sanjay Singh and Vishwakarma Yadav.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner was neither apprehended at the spot nor any incriminating material has been recovered from the person or possession of this petitioner. It is further submitted that only because of the fact that the petitioner has found involved in similar matters, his name has been falsely implicated in the present case and except the allegation that the petitioner has been identified by the Chaukidar that too on a torch light, there is nothing against him. It is next submitted that the other named co-accused persons have already been granted bail by different co-ordinate Benches of this Court, the copies of which have been annexed as Annexures-2 and 3 to this application. It is further submitted that the petitioner is in custody since 15.11.2021 and the charge-sheet has already been submitted in this case.

On the other hand, learned APP for the State opposes the bail application of the petitioner.

Having considered the submissions made on behalf of



the parties and taking into consideration the nature of allegation, apart from the fact that the other co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide Annexures- 2 and 3 and the petitioner is in custody since 15.11.2021, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gopalganj in connection with Jadopur P.S. Case No. 39 of 2020 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

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