

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1204 of 2022

Arising Out of PS. Case No.-525 Year-2021 Thana- SHASTRINAGAR District- Patna

Ravi Sevak Mandal S/O Bechan Mandal R/O Village And P.S. - Madhepur,
District - Madhubani, At Present R/O Punaichak Baldev Bhawan Ke Pichhe
Bali Gali Me Ramanand Upadhyay Ke Makan Me Kirayedar, Shastrinagar,
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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 learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Special Case No. 6923 of 2021 arising out of
Shastrinagar P.S. Case No. 525 of 2021 registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act. He is in custody since 27.10.2021 and has no
criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, on secret information, the informant along
with other police personnel raided the house of one Ramanand



Upadhyay and recovered total 45 liters of illicit liquor. It is alleged that this petitioner who is the tenant of said Ramanand Upadhyay was apprehended.

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 is not the owner of the house and has no concern with the allegedly recovered illicit liquor. The petitioner has remained in custody since 27.10.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody since 27.10.2021, he has otherwise no criminal antecedent, investigation against him is complete and his presence may also be secured in course of trial, therefore, 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 Special Judge Excise, Patna in connection with Special Case No. 6923 of 2021 arising out of Shastrinagar P.S. Case No. 525 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.



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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

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'.

