

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.1261 of 2022**

Arising Out of PS. Case No.-61 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- West Champaran

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RAMESHWAR @ RAMASHRAY SHUKLA @ RAMESHWAR SHUKLA  
@ RAMESHWAR SHUKL Son of Late Narayan Shukla R/o Village- Singha  
Chhapar, P.S.- Bettiah (Muffasil), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs.Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY  
ORAL ORDER**

2      13-06-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Excise  
Case No. 61 of 2020 registered for the offences punishable  
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, on secret information the  
house of the petitioner was raided and the petitioner fled away  
after seeing the police party. It is alleged that 30.440 litre illicit  
liquor has been recovered from petitioner's house.

Learned counsel for the petitioner submits that  
petitioner is in custody since 24.08.2021 and bears criminal



antecedent of three cases of similar nature in which he is on bail. He further submits that petitioner has not committed any offence as alleged in the official complaint and he has falsely been implicated in the case for ulterior motive. It has been submitted that search and seizure is not according to law and seizure list was also not served to any family members of the petitioner. Prosecution report has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Excise Case No. 61 of 2020, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

**(Alok Kumar Pandey, J)**

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