

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67864 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- MAHUA District- Vaishali

=====

Ramesh Kumar Singh @ Ramesh Kumar S/O Brahmdeo Singh R/O Village-
Mahua Singh Rai, P.S- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 392 of 2022 registered for the offence under
Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.09.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 3574.08 litres of IMFL/country made liquor from
the alleged vehicle.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is neither owner nor driver and not connected in any manner with the alleged container from where illicit liquor was said to be recovered. It is submitted that as petitioner is involved in 2 more criminal cases, his name surfaced in present case arises out of suspicion. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 392 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Hajipur, Vaishali/concerned court, subject to the conditions as mentioned



under Section 437 (3) of the Cr.P.C. with further condition:

“Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

pooja/-

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

