

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9225 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- DIDARGANJ District- Patna

RAVI KUMAR Son of Bhushan Singh @ Shashi Bhushan Singh R/v-
Kothiya, P.S.- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
17.01.2023, in connection with Didarganj P.S. Case No. 390 of
2022, F.I.R. dated 31.12.2022 registered for the offences
punishable under Sections 30(a)/36 of the Bihar Excise &
Prohibition Act.

Recovery is of 80 litres of country made liquor.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the name
of the petitioner has been transpired on the basis of disclosure
made by co-accused person namely Ranjit Kumar and it appears
from the F.I.R. as well as seizure list that nothing has been



recovered from the conscious possession of the petitioner rather recovery has been made from the open place situated behind a marriage hall. He further submits that co-accused namely Ranjit Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 7227 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.01.2023.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, nothing has been recovered from the possession of the petitioner and the petitioner having clean antecedent, let the petitioner, above named, be released on bail 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, Patna City, Patna in connection with Didarganj P.S. Case No. 390 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

(3) 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 antecedents, the court below shall take step 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.

(Rajesh Kumar Verma, J)

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