

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39615 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- LAUKARIA District- West Champaran

PRAMOD URAO @ PRAMOD URAON Son of Shyam Bihari Urao @
Shayam Bihari Uraon Resident of village - Pipra Dhiraoli, P.S. - Laukariya,
Distt. - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-07-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Laukariya P. S. Case No. 29 of 2023, registered for the

offences punishable under Sections 147, 149, 332, 353,

354(B), 341, 342 and 186 of the Indian Penal Code and

Section 45 of the Bihar Excise, Prohibition and Registration

Act, 2018.

The prosecution case as emerges from the FIR is

that 4 litres of country made chulai liquor was recovered

from the shop of one Ranjita Devi and during raid, accused

persons began to assault the police staffs and rescue Ranjita



Devi. Allegation of eve teasing the lady constable by the accused persons is also there.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that in fact, the petitioner was not present on the spot and the informant who is a police has named numerous persons as accused making general and omnibus allegation against them. He further submits that there is no connecting material except suspicion to involve the petitioner in the alleged offence.

He further submits that the petitioner has been languishing in jail since 27.04.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge, Excise, Bagaha, West Champaran, in connection with Laukariya P. S. Case No. 29 of 2023 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld.



court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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