

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49714 of 2023

Arising Out of PS. Case No.-263 Year-2020 Thana- LAUKAHA District- Madhubani

Indal Ram @ Pandit Jee @ Ekka Pandit @ Indra Ram @ Indar Ram Son of
Ram Sharan Ram @ Ram Charan Ram Resident of Village-Dhanukhi, P.S.-
Lalmaniya, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
19.06.2023 in connection with Laukaha (Lalmaniya) P.S. Case
No. 263 of 2020, F.I.R. dated 04.09.2020 for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

4. Recovery is of 415 liters of Nepali Liquor,
Kingfisher Beer and Soufi Wine.

5. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case on the basis of the confessional statement of the co-accused person. He further submits that it appears from F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the vehicle in question. He further submits that except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 19.06.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in five cases out of six.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act Jhanjharpur, District- Madhubani in connection with Laukaha (Lalmaniya) P.S. Case No. 263 of



2020, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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 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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