

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50730 of 2023**

Arising Out of PS. Case No.-900 Year-2023 Thana- PHULWARISHARIF District- Patna

RAVI KUMAR @ CHANDU SON OF MANOJ KUMAR RESIDENT OF  
VILLAGE DEVI STHAN NATHUPUR, PS PARSA BAZAR, DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner seeks bail, who is in custody since 19.06.2023, in connection with Special Case No. 5061 of 2023 arising out of Phulwarisharif (Janipur) P.S. Case No. 900 of 2023, F.I.R. dated 18.06.2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 70 litres of *country made liquor*.

4. 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 it appears from the F.I.R. as well as seizure list that altogether 70 litres of illicit liquor has been recovered from the CNG Tempo and nothing has been recovered from the conscious possession of the



petitioner and there is non compliance of Section 100 of the Cr. P.C. and the petitioner is in custody since 19.06.2023.

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

6. Considering the facts and circumstances of the case, nothing has been recovered from the possession of the petitioner and 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 Court Excise, Patna in connection with Special Case No. 5061 of 2023 arising out of Phulwarisharif (Janipur) P.S. Case No. 900 of 2023, 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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