

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69291 of 2021

Arising Out of PS. Case No.-267 Year-2021 Thana- PUPRI District- Sitamarhi

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RAMA @ RAMAPATI KUMAR Son of Kunthi Ray Resident of Village -
Sinuwara, siravara, P.o.- Barri Chougama, P.S.- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

9 10-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with Pupri PS case no. 267 of 2021 instituted for the offences
punishable under Sections 30(a) of Bihar Prohibition and
Excise Act, 2016.

At the outset, the learned counsel for the
petitioner has pointed out that since only a meagre quantity of
155.880 liters of liquor was recovered from the Middle
School campus at Keshopur and the petitioner has been
falsely implicated in the said case, inasmuch as no recovery
was effected from his conscious possession, he was granted
provisional bail by a co-ordinate Bench of this Court vide



order dated 20.04.2022, passed in the present case, however, a general observation was made that the State Authorities shall furnish an action taken report against all those persons who are involved in the present case and the petitioner would file an affidavit, after his release from custody, giving the details of the owner of the vehicle, how he is connected with the trade of liquor and the name of the person for whom he is working as also the place, where the liquor was to be transported.

The learned counsel for the petitioner has submitted that in pursuance to the aforesaid observation, a supplementary affidavit has been filed on behalf of the petitioner, where it has been stated that the petitioner and his brother are involved in garment business and they have nothing to do with the motorcycle in question, which is registered in the name of one Lal Babu Kumar and on the date of occurrence, one Gautam Kumar Rai had taken the motorcycle and later on, the same was seized from the village of the said Gautam Kumar Rai and he is also an accused in the present case.

In view of the aforesaid, this Court does not deem it fit and appropriate to keep the present case pending,



any longer, hence, order dated 20.04.2022, by which the petitioner was granted provisional bail, is made absolute.

The present petition stands disposed off.

(Mohit Kumar Shah, J)

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