

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61280 of 2022**

Arising Out of PS. Case No.-963 Year-2021 Thana- KUDHNI District- Muzaffarpur

Ram Pravesh Singh, S/o Late Madhindra Singh, R/V- Gorihari, P.S.- Kudhani,
Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 30-01-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Kudhani (Turki O.P.) P.S. Case No. 963 of 2021 registered under Sections 272, 273, 467, 468, 120B/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

There is alleged recovery of 879.840 liters illicit liquor from pickup van in course of routine checking. The checking had been set up on secret information that the petitioner, along with other named persons, were cosigners of illicit liquor which was being brought on pickup van.

Learned counsel for the petitioner submits that other than the secret information, there is no material to connect the petitioner



with the recovery. He is neither owner of the vehicle nor has any concern with the illicit liquor. It is further submitted that his implication has also not led to any recovery from his possession and he is in custody since 18.08.2022. Though he is on bail in Kudhani P.S. Case No. 427 of 2021. Investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, the manner of petitioner's implication, as also the fact that there is no alleged recovery from the petitioner, and his custody, this Court is inclined to allow the prayer for bail of the petitioner.

Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Court No. II, Muzaffarpur in Kudhani (Turki O.P.) P.S. Case No. 963 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Sumit/Shashank-

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