

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60736 of 2023**

Arising Out of PS. Case No.-497 Year-2021 Thana- TEKARI District- Gaya

Ravi Bhushan Singh @ Ravi Prasad Singh S/O Late Biteshwar Singh R/O Village- Haibatpur, P.S- Rampur Chauram, Distt.- Arwal, Presently Residing At Near St. Krence School, Vijay Vihar Colony, Gola Road, Dinapur Cum Khagaul, P.S- Rupespur, Distt.- Patna.

... .. Petitioner/s

## Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Parmatma Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

## ORAL ORDER

06-12-2023 Heard Mr. Parmatma Singh, learned counsel  
appearing on behalf of the petitioner and learned Additional  
Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Tekari-Panchanpur-OP P.S. Case No. 497 of 2021, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The police, in course of patrolling, intercepted a Hero Passion pro Bike bearing Registration No. BR560220/2006 and apprehended two persons, who were sitting thereupon. On interrogation, they disclosed the name of other persons and on search, total 40 litres of illicit country-made liquor was recovered.



4. It is submitted on behalf of the petitioner that the name of the petitioner has surfaced on account of he being the owner of the motorcycle, however, the fact is that prior to the alleged occurrence, the petitioner had already sold the motorcycle in question to one Jai Prakash Kumar. With regard to the aforesaid fact, the petitioner has brought on record the agreement of sale letter dated 04.04.2021, which is marked as annexure-2 to the petition. He next submits that admittedly the persons who were apprehended by the police, they did not disclose the name of the petitioner, moreover, there are other infirmities in the search and seizure. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner has been implicated only in the capacity of he being the owner of the motorcycle, which is alleged to have been used in the transportation of illicit wine, coupled with the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail,



in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Exclusive Special Excise Judge, Court No. 2, Gaya in connection with Tekari-Panchanpur-OP P.S. Case No. 497 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

Anjani/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

