

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74213 of 2022

Arising Out of PS. Case No.-467 Year-2019 Thana- PAROO District- Muzaffarpur

Sunil Ram S/o Fudan Ram R/v- Bheriyahi, P.S.- Kathaiya, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 30/30(a) of the Bihar Prohibition & Excise Act, 2018.

It relates to recovery of total 2499.840 litres of foreign liquor from two vehicles and the petitioner's involvement in trade of illicit foreign liquor and fired on the police party.

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 it appears from the F.I.R. as well as seizure list that nothing incriminating articles have been recovered from the conscious possession of



the petitioner and the petitioner was not arrested at the spot. He further submits that the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person namely Dharmendra Das and the petitioner has no concern at all with the alleged recovery of the present occurrence and the petitioner has no concern with the other co-accused persons. He further submits that similarly situated several co-accused persons namely Raj Kumar Ram and others have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexure-2 series to this bail petition. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 23.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Paroo P.S. Case No. 467 of 2019, with 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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