

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70874 of 2023

Arising Out of PS. Case No.-697 Year-2023 Thana- BARACHATTI District- Gaya

Ramesh, Son of Kheraj Ram, Resident of Viilage - Aadela, P.S. - Rageshwari
Gais Terminal Rawli Nari Nagar, District - Badmer (rajsthan)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Barachatti P.S. Case No. 697/2023 lodged on 23.07.2023 under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2016.

3. As per the prosecution case, total recovery of 2862
litres Indian Made Foreign Liquor is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is a Khalasi of the vehicle and he has no option but to
work in the truck as a cleaner. The petitioner is in custody since
25.07.2023 having no criminal antecedent.



5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge- V, Gaya, in connection with Barachatti P.S. Case No.697/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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