

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74094 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- AGIAON District- Bhojpur

Ram Barat Singh, S/O Ramakant Singh @ Ramat Singh, R/O Village- Lasari,
P.S- Agaiaon(Garthani), Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Agiaon (Garahani) P.S. Case No. 98 of 2023 registered on 17.06.2023 for the alleged offences under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, police received information about petitioner and co-accused loading illicit Indian made foreign liquor on a four wheeler. A raid was conducted and a Bolero vehicle was seized. Petitioner and co-accused fled away from the spot. From the seized Bolero vehicle, recovery of 115.125 litres of Indian made foreign liquor was made.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Recovery of illicit liquor has been shown from a Bolero vehicle which was standing on the road but the petitioner was not apprehended from the spot. Petitioner has no concern either with the seized vehicle or the illicit liquor. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner is in custody since 04.09.2023 and charge sheet has been submitted. Petitioner is accused in two cases of similar nature but he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1st, Bhojpur, Arrah in connection with Agiaon (Garahani) P.S. Case No. 98 of 2023, subject to the conditions mentioned in Section 437(3) of the



Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

