

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71688 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- DEV District- Aurangabad

Ravi Kumar Singh Son of Bachu Singh R/O Village- Sarshot Barwadih, P.S.-
Hariharganj, District- Palamu (JHARKHAND).

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 11-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Dev P.S. Case No. 200/2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, there is alleged recovery of total 182.700 liters foreign liquor from a Tempo in question and the petitioner apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is languishing in custody since 13.08.2023 and bears no criminal antecedent. He further



submits that the petitioner was neither the owner nor was the driver of the said Tempo in question merely he was a passer by and apprehended on the spot. He further submits that except suspicion, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that the petitioner has no concern with the seized liquor. He further submits that the seizure list has not been prepared as per the law.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Special Judge, Excise No.-01, Aurangabad in connection with Dev P.S. Case No. 200/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkumar/-

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

