

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75275 of 2022

Arising Out of PS. Case No.-662 Year-2022 Thana- KADAMKUAN District- Patna

RAVI KUMAR S/O Suresh Ram R/O Mohalla- Nala Road, Ambedkar
Bhawan, P.S- Kadamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
15.11.2022 in connection with Special Case No.7658 of 2022
arising out of Kadamkuan P.S. Case No.662 of 2022, F.I.R.
dated 14.11.2022 registered for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise Act.

Recovery is of 150 liters of country made liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that from bare
perusal of the FIR as well as the seizure list it appears that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the Ambedkar



house in which the petitioner has been residing. There is non-compliance of Section 100 of Cr. P.C. and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.11.2022.

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

Considering the aforesaid fact, nothing has been recovered from possession of the petitioner, having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.7658 of 2022 arising out of Kadamkuan P.S. Case No.662 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.



(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 antecedent, 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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