

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77594 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- AMNAUR District- Saran

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ARJUN RAM SON OF GANAUR RAM RESIDENT OF VILLAGE -
DHARHARA KALA, POLICE STATION - AMNOUR, DISTRICT -
SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Amnour P.S. Case No. 221/2023 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, 80 litre illicit liquor was
recovered from motorcycle in question which was hidden in a
jute sack. Petitioner apprehended on spot and he disclosed the
name of co-accused Shyam Shundar Ram who succeeded in
fleeing away from place of occurrence.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged



in the FIR. It is further submitted that petitioner has falsely been implicated in this case because of his criminal history of similar nature and also because of dirty village politics. Petitioner is not the owner of the vehicle in question and he has nothing to do with the alleged recovery. Petitioner is in custody since 18.09.2023. Learned counsel orally submits that chargesheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Petitioner bears criminal history of three cases in which he is on bail.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra in connection with Amnour P.S. Case No. 221/2023 , subject to the 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)

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