

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78229 of 2023

Arising Out of PS. Case No.-887 Year-2023 Thana- Excise P.S. District- Siwan

Ravi Singh S/o Hareshwar Singh R/o Village- Mairwa, P.S.- Daudpur, Distt.- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 04-12-2023 Heard learned Advocate for the petitioner and the learned Additional Public Prosecutor for the State.

2. The instant Criminal Miscellaneous Application arises out of F.I.R., bearing Siwan Excise P.S. Case No. 887 of 2023 dated 16.09.2023, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is the case of the prosecution that huge amount of foreign liquor measuring about 267.840 litres was recovered from one Bolero car on 16.09.2023. The petitioner was driver of the said car and accordingly, he was implicated.

4. It is contended on behalf of the petitioner that the petitioner is in custody since 17.09.2023 and registered owner of the said vehicle was one Satyendra Singh Saurav and the petitioner is the mere driver of the said vehicle and he was



traveling the vehicle under the instructions of his owner. He had no knowledge as to whether foreign liquor was stored in the said vehicle or not. Moreover, charge-sheet has been submitted in the instant case, therefore, he may be released on bail.

5. The learned Additional Public Prosecutor for the State has raised objection against the prayer for bail, this Court is of the view that on the basis of finding made hereinbefore, the petitioner is entitled to be released on bail..

6. Though, the learned Additional Public Prosecutor has raised objection against the prayer for bail, this Court is of the view that on the basis of finding made hereinbefore, the petitioner is entitled to be released on bail.

7. Accordingly, the petitioner, above-named, may be granted bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, one of whom must be a local surety, to the satisfaction of the learned 2nd Exclusive Special Judge, Excise Siwan in connection with Siwan Excise P.S. Case No. 887 of 2023 with further condition that he must comply the conditions, namely, he would not persuade or threaten the witnesses and would be present in the court below during trial on all dates, with further condition that he shall deposit his driving license before the trial



court until further order.

8. The petitioner is also directed to remain present on each and every date during the trail of the case, he will not influence the witnesses of the instant case in any way during trial.

9. Failure on the part of the petitioner to comply with any of the above directions will entail the learned court below to cancel the bail without any further order.

(Bibek Chaudhuri, J)

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