

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80905 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- SIMRA District- Aurangabad

=====

RAVINDRA CHAUHAN SON OF RAMJI CHAUHAN RESIDENT OF
VILLAGE - DHIBRA, P.S. - SIMRA, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukul Kumari
For the Opposite Party/s : Mr.Mohammed Arif

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with G.R.
No. 592/2023 arising out of Simra P.S. Case No. 12/2023
registered for the offences punishable under Sections 30(a) of
the Bihar Prohibition of Excise Act, 2018.

As per prosecution case, there is alleged recovery
of 12 litre country made liquor near a pond at Dhibra village.
Petitioner is not apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the FIR. The name of petitioner has been surfaced in this
present case merely on account of suspicion. Except suspicion
there is nothing on record to connect the present petitioner with



the alleged occurrence. The place of recovery is an open place which is accessible to all and petitioner has no knowledge about the alleged recovery. It is further submitted that seizure list has not been made as per law. On account of previous criminal antecedents, petitioner has falsely been implicated in this present case. Petitioner is in custody since 01.04.2023. Learned counsel orally submits that chargesheet has already been submitted and there is no likelihood of tampering with the prosecution witness. Petitioner bears criminal history of four 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, petitioner is not apprehended on spot, 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 Court of Special Judge of Excise, Aurangabad in connection with G.R. No. 592/2023 arising out of Simra P.S. Case No. 12/2023 , 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)

asmit/-

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

