

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26700 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ravi Kumar @ Sanni S/O Ramashray Yadav R/O Village- Jitwarpur Nijamat,
Ward No. 13, P.S- Samastipur (MUFASSIL), Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Muffasil P.S. Case No.
18 of 2024, instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 62.64 liters
liquor was recovered from open field behind the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further



submitted that the alleged place of recovery is an open field which does not belong to the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the local chaukidar. The petitioner is in custody since 20.03.2024 and has got four criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Muffasil P.S. Case No. 18 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) Further condition is that, petitioner shall not
commit such type of offence during the course of the trial.

(Rudra Prakash Mishra, J)

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