

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45420 of 2024

Arising Out of PS. Case No.-80 Year-2020 Thana- MEHANDIGANJ District- Patna

Ravi Kumar @ Ravi Yadav S/o Bijli Yadav R/O VILL-BESIDE OF
CHITRAGUPT MANDIR, P. S.-KHAJEKALAN, DIST-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 25-11-2024 Heard Mr. Jai Ram Prasad, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Mehndiganj P.S. Case No. 80 of 2020 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 05.09.2024 by the informant.

3. As per the prosecution story, the informant alleged that during evening patrolling upon secret information, a cart was intercepted and there is recovery/seizure of 450 litres of country made liquor. Accordingly, the FIR.

4. The accused escaped but was named which led to his finally going into judicial custody since 05.03.2024 (para-4 of the petition). It is the case of the petitioner that only because of criminal antecedent, he has been implicated, he never came to know about his implication which led to delay and coming into



the judicial custody, has already suffered and not a single case has been lodged against him after the year 2020, if given a chance, he shall be diligently appearing in the trial.

5. Learned APP opposes the prayer submitting that for four years he evaded arrest.

6. Considering the submissions put forward by the parties as also the fact that though there is force in the submission of learned APP that he evaded arrest for four years, para-3 shows that after year 2020, there is no further criminal case has been lodged against him, has remained in custody since 05.03.2024, as undertaken, he shall be diligently appearing in the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Patnacity in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

perwez

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

