

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48834 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Ravindra Rai @ Bagar Rai @ Ravindra Prasad Yadav S/o Late Chandrika Rai
@ Manirka Rai R/o Village-Mathiya Bariyarpur, P.S.-Pipra Kothi, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-09-2024 Learned Advocate for the petitioner seeks permission
to make necessary correction in paragraph n. 3 of the bail
application.

2. The permission is accorded.

3. Let necessary correction be done in course of the
day.

4. Heard the learned Advocate for the petitioner and
the learned APP for the State.

5. The petitioner seeks regular bail, who is in custody
in connection with Turkaulia P.S. Case No. 229 of 2024,
registered for the offence punishable under Sections 272 and
273 of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

6. The allegation against the petitioner is of indulged
in trafficking of illicit wine, the police conducted raid. However,



noticing the police party, the accused persons succeeded in fleeing away. On search, 30 liters of spirit like illicit wine was recovered.

7. Learned Advocate for the petitioner contended that the alleged recovery has been made from an open place near the farm, which is easily accessible to all. The witnesses are none else but the police personnel. The name of the petitioner has been disclosed on the instance of the police *chaukidar*. Moreover, the petitioner has been remanded in the present case from Turkaulia P.S. Case No. 94 of 2024, on 28.05.2024, since then the petitioner is in custody.

8. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears two criminal antecedent besides the present one.

9. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and the charge-sheet has been submitted let the petitioner, named above, 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 learned Exclusive Special Excise Judge-1, East Champaran at Motihari in connection with Turkaulia P.S. Case



No. 229 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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