

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75272 of 2024

Arising Out of PS. Case No.-29 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Ramesh Kumar Singh Son of Late Suraj Nath Singh Resident of Village -
P/166, Benali More, Kelariya Benali, P.S. - Jamuria, District - West
Bardhman, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mrs. Shashi Priya, Advocate. Mr. Ritwaj Raman, Advocate.
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Udvantnagar P.S. Case No. 29 of 2021 dated 18.01.2021, registered for the offences punishable under Sections 411, 420, 467, 468, 471, 120(B) of the Indian Penal Code 1860 and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 8622.720 litres of liquor was recovered from a truck at Tetariya More, Sahar Road, situated in the district of Bhojpur (Bihar) and in this illegal trade of liquor, the owners of Puja Hotel and Restaurant Beer Bar namely, Farid Sheikh, Jawed Khan and Salman are involved.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that though the petitioner is also one of the owners of the Puja Hotel and Restaurant situated at Raniganj (West Bengal), there is no allegation of any involvement of the petitioner in the alleged illegal trade of liquor. Hence, no offence as per the allegation is made out against the petitioner. Only some of the owners namely, Farid Sheikh and Salman are allegedly involved. But, the petitioner has apprehension of arrest because he is also one of the owners of the restaurant and under misconception of facts, the Police may arrest him.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that petitioner has clean antecedent.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. However, from the material on record, I find that there is no legal material on record to curtail the liberty of the petitioner.

9. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara, in connection with Udvantnagar P.S. Case No. 29 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

S.Ali/-

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

