

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79574 of 2024

Arising Out of PS. Case No.-186 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Ramekbal Rawat S/o- Shivpujan Rawat R/o Village- Bandhauli, P.S.-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Srivastva, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 186 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 11.06.2024 by the informant, Shyamdev Singh.

3. As per the prosecution story, recovery of total 150 litre of country made liquor has been made from a bush near the road which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that no illicit liquor has been recovered from the conscious possession of the petitioner rather the liquor has been recovered from the bush near the road. He further stated in Para 11 of the petition that the place of alleged recovery of illicit liquor is a public



place i.e., road and the petitioner has nothing to do with the same. The antecedent of the petitioner is clean.

5. Learned APP opposes the prayer for bail.

6. Taking into account the fact that antecedent of the petitioner is clean and the recovery has been made from a bush near the road which is easily accessible to public. this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge XIII cum Special Excise Court No. 1, Gopalganj in connection with Baikunthpur P.S. Case No. 186 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 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;

(iv) 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.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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

