

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78651 of 2024

Arising Out of PS. Case No.-322 Year-2024 Thana- Excise P.S. District- Rohtas

Ravindra Sah @ Mahadeo Sah S/O Vishwanath Sah Resident of Village-
Mujaradh, Ward No. - 08 ,P.s. Dharampura (Out Post) District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Excise Case No. 807 of 2024 read with FIR No. 322/2024 for the offence punishable under sections 30(a)/62 of the Bihar Prohibition and Excise Act lodged on 26.09.2024 by the informant, Amit Anand.

3. As per the prosecution story, the informant alleged that it got information that Ravindra Sah and Chandan Kumar have kept liquor and as such, the raiding party went to the place and apprehended this petitioner and there is recovery/seizure of 721.14 liters of liquor from one of his room. Subsequently, the house of Chandan Kumar was also raided and there is recovery/seizure of 200 liters of country-made liquor. This led to the FIR.



4. Learned counsel for the petitioner submits that alleged recovery is from a joint house, he has nothing to do with it, only because of his criminal antecedent, implicated, has remained in custody since 29.09.2024 (paragraph-4 of the petition). The last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 20,000/- to the District Legal Services Authority, Rohtas for the fixing of Benches for the Civil Court Campus of Sasaram Civil Court Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that the recovery/seizure is from the room and he has criminal antecedent also.

6. Considering the submissions put forwarded by the parties as also the fact that the recovery is from a joint house and is in custody since 29.09.2024, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 20,000/- to the District Legal Services Authority, Rohtas for fixing of Benches for the Civil Court Campus of Sasaram Civil Court Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt receipt of the purchase/fixation of the benches shall be



submitted to the trial Court by the D.L.S.A., Rohtas.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Court No. 1, Rohtas at Sasaram, in connection with Excise Case No. 807 of 2024 read with FIR No. 322/2024 subject to 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 appear before the concerned police station every fortnight for six months 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)

Adnan/-

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