

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82686 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- ANDHRAMATH District- Madhubani

Ram Pravesh Yadav @ Rampravesh Yadav @ Chotu S/O Gulat Yadv @
Gulath Yadav Village- Dudhaila, P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Andhramath P.S. Case No. 160 of 2024 for the offence punishable under sections 274 and 275 of the Bharatiya Nyaya Sanhita, Section 30(a) of the Bihar Prohibition and Excise Act and Section 78 of the Juvenile Justice Act lodged on 11.10.2024 by the informant, Ravinandan Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a raiding team was formed, reached the place and saw one motorcycle coming. It was intercepted and there is recovery/seizure of 74.100 liters of Nepali country-made liquor this led to the arrest of one Prince Kumar who gave the name of the petitioner that he works for him. Accordingly, the FIR/arrest.



4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession and only because of his criminal antecedent, the Police while apprehending Prince Kumar have also implicated him through his confessional statement. Further, the motorcycle does not belong to him, is in custody since 13.10.2024 (paragraph-4 of the petition) and the last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 10,000/- to the District Legal Services Authority, Madhubani for the beautification (Flower pots) in the Civil Court Campus of Jhanjharpur, Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that nothing has been recovered from his conscious possession rather his name has come in the confessional statement and the petitioner has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Madhubani for the beautification (Flower pots) in the Civil Court Campus of



Jhanjharpur, Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the purchase be submitted to the trial Court by the DLSA, Madhubani.

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 Special Judge, Excise Act, Jhanjharpur, in connection with Andhramath P.S. Case No. 160 of 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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