

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1872 of 2024

Arising Out of PS. Case No.-32 Year-2021 Thana- MANJHAGARH District- Gopalganj

Ravi Singh Son Of Babunand Singh R/O Of Village Damapakar Ps,
Manjhagarh Distt. Gopalganj,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Manjhagarh P.S. Case No.32 of 2021, lodged on 26.01.2021,
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the prosecution, total recovery of 73 liters of
country-made liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
said recovery of liquor has been made from different persons
differently. From the petitioner's possession 53.4 liters of liquor
has been recovered. Counsel for the petitioner submits that from
the seizure-list itself it transpires that it has been recovered from
the 'Basbari' (bamboo orchard). Counsel further submits that



the petitioner is innocent and has committed no offence. The petitioner is in custody since 08.11.2023. Counsel submits that his name has figured in this case only due to the reason that his criminal antecedent is not clean.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. He is accused in four criminal cases of similar nature.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge and showing that he is not absconding in any of the case** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise-I, Gopalganj, in connection with Manjhagarh P.S. Case No.32 of 2021, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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