

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14136 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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ISHWARI RAM, Son of Late Ram Payare Ram, Resident of Village-Tikari,
P.S.-Hussainganj, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, adv.

For the Opposite Party/s : Mr.Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-03-2020 Heard learned counsel for petitioner and learned
counsel for the State.

This application for grant of regular bail has been listed out of turn for consideration for grant of bail as during custody of petitioner the elder brother of the petitioner had died on 13.03.2020 and *Shradh Ceremony* is to be performed on 26.03.2020.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

Allegation against petitioner is recovery of 44 liters



of illicit liquor from the back side of the house of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to village rivalry. Nothing has been recovered from his conscious possession. Petitioner has no criminal antecedent and is in custody since 07.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Excise Case No. C-III-29 of 2020, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in



similar nature of offences, after his
release on bail the trial court shall take
steps to cancel his bail bonds.

(S. Kumar, J)

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