

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.30543 of 2020**

Arising Out of PS. Case No.-358 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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PARAMJEET KUMAR, Son of Rajkumar Mahto, Resident of Village-
Rajrampur, P.S.- Saraiya, District- Muzaffarpur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-11-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed by the Stamp Reporter within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Rana Randhir Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Gopalganj P.S. Case No. 358 of 2020 registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that as per the first information report, on secret information when the Police was involved in checking of vehicle, the petitioner tried to flee away with the vehicle but met with an accident and was arrested by the police. The Police recovered 293.265 liters of illicit liquor from the said vehicle being driven by the petitioner.



Submission of learned counsel for the petitioner is that the petitioner has no concern with the vehicle and he has falsely been implicated in this case when real culprit managed to escape. It is further submitted that the petitioner is in custody since 20.06.2020 and has no criminal antecedent.

Learned APP for the state has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be driver of the vehicle in question from which 293 liters of illicit liquors have been recovered but the petitioner has remained in jail in connection with the present case since 20.06.2020, he has otherwise no criminal antecedent, investigation against him is complete and it is not the submission on behalf of the State that the release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum- Special Judge (Excise Act), Gopalganj in connection with Gopalganj P.S. Case No. 358 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

