

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.32629 of 2020**

Arising Out of PS. Case No.-79 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

=====

Anup Singh, S/o Late Shatrughan Singh, R/o village- Majhariya, P.S.- Buxar
(Industrial), Distt.- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

=====

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

2 09-12-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Excise Complaint Case No. 79(O) of 2020
registered for the offence under Sections 30(a) of Bihar
Prohibition and Excise Amendment Act 2018.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that the petitioner has nothing to
do with the recovered material and the car in question does not



belong to him and he was the driver of the vehicle. Petitioner is in custody since 29.06.2020.

Mr. Akhileshwar Dayal, learned A.P.P. 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 in custody in connection with this case since 29.06.2020 and it is submitted that the petitioner has nothing to do with the recovered material and the car in question does not belong to him, there being no submission on behalf of the State that release of the petitioner 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 of 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 District and Sessions Judge 2nd -cum-Special Judge, Excise, Buxar in connection with Excise Complaint Case No. 79(O) of 2020, subject to the condition as laid down under Section 437 (3) 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/-

U		T	
---	--	---	--

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'.

