

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12810 of 2021**

Arising Out of PS. Case No.-215 Year-2020 Thana- MAIRWAN District- Siwan

SATYAVEER @ SATBIR SINGH Son of Late Hareram Thakur Resident of
Village - Masoodpur, Police Station - Hasi, District - Hissar (hariyana).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Advocate

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

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

2 14-06-2021 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 learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Mairwa P.S. Case No. 215/2020 registered
for the offences punishable under Section 30(a), 39(i), 40(i) of
Bihar Prohibition & Excise Act.

As per the prosecution story, while the informant was
on patrolling duty and reached at Dharani Chhapar Check Post
and was checking the vehicles, in the meantime, one DCM
Truck was coming from Uttar Pradesh. He stopped the vehicle
and on search, illicit liquors were recovered, accordingly, he



seized the vehicle and the driver of the vehicle disclosed his name as Satyaveer (the petitioner).

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he has no knowledge about the illicit liquor kept in the Truck and he is in custody since 24.07.2020 having no criminal antecedent.

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 it is the submission of learned counsel for the petitioner that petitioner is said to be the driver of the vehicle in question from which the illicit liquor has been seized and he has remained in jail in connection with this case since 24.07.2020, investigation against him is complete but the trial is not likely to be completed in near future, at this stage, learned counsel for the petitioner has submitted that if released on bail the petitioner shall give at least one local bailor who resides within the jurisdiction of the learned court below having sufficient means, this court directs released of the petitioner above-named 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 - 2nd -cum –



Special Judge, Excise, Siwan, in connection with Mairwa P.S.
Case No. 215/2020, 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. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

And further condition that at least one of the bailors
would be a local resident having sufficient immovable property



within the jurisdiction of the learned court below and further condition that the petitioner shall cooperate in course of trial by attending on each and every date fixed in the matter and two consecutive failures to attend the trial shall invite action towards cancellation of bail bond by learned court below itself.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

