

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18529 of 2021**

Arising Out of PS. Case No.-449 Year-2020 Thana- GOGRI District- Khagaria

MURARI KUMAR SON OF SHRI SURESH YADAV R/O VILLAGE-
USARI, P.S.- GOGRI, DISTRICT- KHAGARIA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

2 27-07-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nirmal Kumar Sinha, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Gogari P.S. Case No. 449 of 2020, G.R. No. 3716 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that as per the prosecution story, from the building of Khadi Bhandar total 10.470 litres foreign liquor of different brands and 30.800 litres Corex Cough Syrup have been recovered. Seven persons have been arrested including the petitioner from there.

It is the submission of learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. The petitioner is in custody since 15.12.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for 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 the recovery of illicit liquor have been shown from the premises of Khadi Bhandar, co-accused Pawan Kumar and Ravi Shankar have been granted bail by learned coordinate Bench of this Court, the petitioner has remained in jail in connection with this case since 15.12.2020, investigation against him is complete and he has otherwise no criminal antecedent, in the circumstances this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Khagaria in connection with Gogari P.S. Case No. 449 of 2020, G.R. No. 3716 of 2020 subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.