

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.19585 of 2021**

Arising Out of PS. Case No.-92 Year-2020 Thana- RISIYAP District- Aurangabad

Pintu Thakur S/O Atamdeo Thakur @ Atmadev Thakur R/O Village-Sultani  
Kuwarbandh, P.S-Pipra, District-Palamu (JHARKHAND).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Ms.Mukul Kumari,Advocate

For the Opposite Party/s : Mr.Braj Kishore Prasad,APP

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

2      07-04-2021              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.

The matter has been mentioned by learned counsel for the petitioner for hearing with consent of learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with G.R. No. 1349 of 2020 arising out of Risiyap P.S. Case No. 92 of 2020, Aurangabad registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution story, when the police force intercepted a Bolero vehicle, the petitioner who was there as a driver was arrested and 540 liters of liquor has been recovered from the seized vehicle.

Learned counsel for the petitioner submits that the



petitioner has no criminal antecedent, he has remained in custody since 31.12.2020, investigation against him is complete and he is ready to abide by such terms and conditions which may be imposed upon him for purpose of grant of bail in connection with the present case.

Mr. Braj Kishore Prasad, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner has remained in jail for over three months, investigation against him is complete, he has otherwise no criminal antecedent and is ready to abide by such terms and conditions which may be imposed by this Court, this Court directs release of the petitioner 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), Aurangabad in connection with G.R. No. 1349 of 2020 arising out of Risiyap P.S. Case No. 92 of 2020, with condition that one of the bailer would be a resident of the State of Bihar having sufficient immovable property and 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 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.

The application stands disposed of accordingly.

**(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'.

