

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21053 of 2021**

Arising Out of PS. Case No.-8 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

=====

LALBABU RAY SON OF SAKALDEO RAY R/O VILLAGE- HANUMAN
NAGAR PACHHARWA WARD NO.9, P.S.- MAJORGANJ, DISTRICT-
SITAMARHI.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

=====

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

2 13-08-2021 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.

Dinesh Singh, learned A.P.P for the State

Petitioner in the present case is seeking regular bail in

connection with Case No. C2/08/2021 registered for the offence

punishable under Section 30(a) of Bihar Prohibition and Excise

Act. He is in custody since 05.01.2021.

Learned counsel for the petitioner submits that the

petitioner is alleged to have been arrested with 72 liters of illicit

liquor by the SSB Personnel and was handed over to the Excise

Officials.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is further submitted that nothing has been recovered from his conscious possession and he in custody since 05.01.2021 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission on behalf of the petitioner that nothing has been recovered from his conscious possession, he has no criminal antecedent, the petitioner has remained in custody since 05.01.2021 and investigation against him is complete but the trial is not likely to take place in near future, this Court directs release 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 II-cum-Special Judge, Excise Act, Sitamarhi in connection with Case No. C2/08/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 their 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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SONALI/-

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'.