

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22779 of 2021**

Arising Out of PS. Case No.-210 Year-2020 Thana- DAUDNAGAR District- Aurangabad

AMARJEET@K.D, Son of Ram Prasad Singh Resident of Village - Ratnour,
P.S.- Jamhor, Distt.- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nivedita Nirvikar, Sr. Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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

2 02-09-2021 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 Mr. Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Daudnagar P.S. Case No. 210/2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution story, on the basis of secret information the informant along with other police officials reached village Uchkundi where one Pick Up vehicle was parked on the road and one man was standing there, on seeing police party he tried to flee away but on chase he was

apprehended and disclosed his name as Sambhu Kumar. It is further alleged that on search total 1981 liters of illicit liquor were recovered from the vehicle. It is alleged that the apprehended accused Sambhu Kumar disclosed the name of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, the name of the petitioner has transpired in the confessional statement of co-accused who was arrested with illicit liquor and nothing has been recovered from the house of this petitioner. Learned counsel, however submits that petitioner is in custody since 05.01.2021 and the only case stated in paragraph '3' of this application he is on bail.

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 submitted that the name of the petitioner has transpired in the statement of the co-accused who was arrested with the illicit liquor, there is no recovery from house of this petitioner, he is in custody in connection with this case since 05.01.2021 as also that the only case stated in paragraph '3' of this application he is said to be on bail, this court directs release

of the petitioner above named 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 & Sessions Judge – II – cum – Special Judge, Excise, Aurangabad, in connection with Daudnagar P.S. Case No. 210/2020, 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 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.

(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'.