

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22699 of 2021**

Arising Out of PS. Case No.-87 Year-2020 Thana- HATHIDAH District- Patna

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Anand Kumar @ Aanand Kumar, Son Of Late Baleshwar Singh Resident of
Village - Mahendrapur, (Hathidah Bujurg), P.S.- Hathidah, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr.S.M. Rahman, APP

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

2 17-08-2021 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 Hathidah P.S. Case No. 87 of 2020 (Special

Case No. 6136/2020) registered for the offences punishable

under Section 30(a) of the Bihar Prohibition & Excise Act.

As per the prosecution story, while the informant

received a secret information that one Anand Kumar has kept

wine in his house he reached at the house of Anand Kumar and

saw one person was fleeing away on seeing the police party but

he was apprehended and disclosed his name as Anand Kumar

(the petitioner), thereafter on search of the house of the petitioner and from the toilet total 120 liters of illicit liquors were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing has been recovered from the conscious possession of this petitioner, however petitioner is in custody since 16.10.2020 having no criminal antecedent.

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

Considering the facts and circumstances of the case and the materials on the record as also that petitioner is in custody in connection with this case since 16.10.2020, he has got no criminal antecedent, 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 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 Special Judge, Excise, Patna in connection with Hathidah P.S. Case No. 87 of 2020 (Special Case No. 6136/2020), 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'.