

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23297 of 2021**

Arising Out of PS. Case No.-206 Year-2018 Thana- MOKAMAH District- Patna

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RAMLAL @GAURAV KUMAR @ GAURAV Son of Uday Shankar Singh
@ Uday Singh @ Umesh Singh Mohalla- Moldiyar Tole, Ward No.10, Town
And P.S.- Mokama, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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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.

Umesh Lal Verma, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Special Case No. 7207 of 2018 arising out of

Mokama P.S. Case No. 206 of 2018 registered for the offences

punishable under Sections 30(a) and 41 of the Bihar Prohibition

and Excise Act, 2016.

As per the prosecution story, the informant on secret

information reached at Seonar Middle School and from a white

pickup van recovered 1980 litres country-made liquor.

Learned counsel for the petitioner submits that it is a case of false implication of the petitioner. It is further submitted that the petitioner was not seen at the place from where the alleged recovery has been made and the co-accused Ramphal Singh has been granted bail by a learned co-ordinate Bench of this Court. It is further submitted that petitioner has got two criminal antecedents and in connection with the present case, he is in custody since 02.02.2021.

Learned A.P.P. for the State is present and has opposed the prayer for regular 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 name of the petitioner has transpired saying that the local people disclosed his name and the name of the other co-accused, pickup van in which the illicit liquor were kept was standing in the premises of the middle school where this petitioner was not seen and so far as the two criminal antecedents are concerned, the petitioner was granted privilege of anticipatory bail in both the cases, the co-accused Ramphal Singh has been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 13852 of 2019, the petitioner has remained in custody in connection with this case since

02.02.2021, investigation against him is complete, let the petitioner above named be released 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 Special Judge, Excise, Patna/Incharge Successor Court in connection with Special Case No. 7207 of 2018 arising out of Mokama P.S. Case No. 206 of 2018 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)

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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'.