

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25576 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- JAMHOR District- Aurangabad

JEETU SINGH Son of - Late Rampravesh Singh Resident of Village-
Jamhore, P.S.- Jamhor, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-09-2021 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. Md. Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Jamhore P.S. Case No. 11 of 2021 registered for the offences punishable under Sections 30(a)/37(b)/37(c) of Bihar Prohibition and Excise Act, 2018. The petitioner has got eight criminal antecedents out of which in one of the cases he has been acquitted and in all other cases he is said to be on bail.

As per the prosecution story, the informant while on evening patrolling duty got secret information that this petitioner is selling liquor at Jamhor Durga Asthan. The informant reached at the said place along with police party and



on seeing police, the petitioner tried to flee away but was apprehended eventually. He was in a drunken condition and upon search total 7.5 litre illicit liquor was recovered from a plastic bag.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner was not drunk and nothing has been recovered from his conscious possession. Learned counsel submits that the investigation against the petitioner is complete.

Mr. Md. Fahimuddin, 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 petitioner has got eight criminal antecedents out of which one is for the similar offence, in one of the cases the petitioner has been acquitted and in all other cases he is said to be on bail, so far as the present case is concerned, the alleged recovery is of 7.5 litres of liquor and he is in custody since 28.01.2021, investigation against him is complete and at this stage there is no submission on behalf of the State that his



release is likely to result in tampering with evidence or interfering with the course of trial, 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 District and Sessions Judge-II-cum-Special Judge (Excise), Aurangabad in connection with Jamhore P.S. Case No. 11 of 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 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.

This 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'.

