

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26831 of 2021

Arising Out of PS. Case No.-374 Year-2020 Thana- SABAUR District- Bhagalpur

Kranti Ram @ Kanti Ram aged about 27 years, Son Of Jay Shankar Ram R/O
Village- Mansurpur, P.S.- Zero Mile, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 03-12-2021 Heard Dr. Manoj Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Bal Mukund Prasad Sinha,
learned Additional Public Prosecutor through video
conferencing.

The petitioner who is in custody since 31.12.2020
seeks regular bail in connection with Sabour P.S. Case No. 374
of 2020 for the offence punishable under section 414 of the
Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms Act and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story in brief is that huge quantity of
foreign made liquor was recovered and in this regard a
motorcycle bearing registration no. BR-10AA-5040 was also
seized in course of raid conducted by the raiding team on
30.12.2020.



Learned counsel appearing on behalf of the petitioner submits that since he has been made accused in one another case relating to Kahalgaon P.S. Case No. 776 of 2019 for the offence under sections 323, 308, 354/34 of the Indian Penal Code, he has been roped in the present case. He further submits that nothing has been recovered from his conscious possession and as such, the petitioner be released on bail.

Learned counsel appearing on behalf of the State has opposed the prayer for bail of the petitioner considering the above mentioned facts and criminal history of the petitioner who has been engaged in similar case.

Considering above mentioned facts and circumstances of the case and the criminal case pending against the petitioner, let the Court Below verify the criminal antecedent of the petitioner as to whether he is engaged in any other case within the territory of State of Bihar and upon being satisfied, release the petitioner, named above, on bail on furnishing on furnishing bail bond of Rs. 2,00,000/- (Two lakhs) with two sureties of the equal amount to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Sabour P.S. Case No. 374 of 2020 subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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