

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36106 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Madhubani

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Barun Kumar @ Yuvraj Kumar Son of Nand Kishor Mahto @ Kushwaha  
Nand Kishor Prasad Resident of Village - Navtoli Mukhiyapati, Saharghat,  
P.S.- Saharghat, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-12-2021                      Let the defects, if any, be removed within four weeks  
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in  
connection with G.O Case No. 30 of 2021 for the offences  
punishable under Section 30(a) and 32(iii) of Bihar Prohibition  
& Excise ( Amendment ) Act 2018.

Altogether, 90 liters of Nepali illicit liquor is said to  
have been recovered from a Motorcycle.

Learned counsel for the petitioner submits that  
petitioner has clean antecedent and has falsely been implicated  
in this case. Nothing has been recovered from possession of the



petitioner. He further submits that petitioner is not bonafide owner of the Motorcycle in question. He is in jail custody since 18.01.2021.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with G.O Case No. 30 of 2021, subject to the following conditions;-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 petitioners have concealed their 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.

**(Rajesh Kumar Verma, J)**

N.K/-

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