

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36705 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- AMBA District- Aurangabad

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Baban Kumar Singh Son of Late Krishna Singh Resident of Village-
Narayanpur, P.S.- Amash, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar
For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2021 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 Amba P.S.Case No. 21 of 2021 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
excise Act, 2016.

On secret information, 2800 liters illicit liquor was
recovered from a truck.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has been falsely
implicated in this case. He further submits that petitioner is
driver of the said Scorpio. It appears from the F.I.R that nothing



has been recovered from the Scorpio and the alleged liquor was recovered from the truck in question. He is in jail custody since 24.02.2021.

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 Additional Session Judge-II cum Special Judge Excise, Aurangabad in connection with Amba P.S. Case No. 21 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-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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