

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36728 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- NADI P.S. District- Patna

1. Vikki Kumar Son of Ram Balak Resident of Village - Saidabad, P.s.- Raghapur, Distt.- Vaishali.
2. Pawan Kumar Son of Sudama Roy Resident of Village - Saspum Mahani @ Saspur, P.s.- Salimpur, Distt.- Patna.
3. Ram Balak Roy Son of Late Ram Dayal Roy Resident of Village - Mouzipur, P.S.- Nadi, Distt.- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ataul Haque
For the Opposite Party/s : Mr.A.G.

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 petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection with Special case No. 1021 of 2021 arising out of Nadi P.S.Case No. 22 of 2021 for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act 2018.

On search by the police personnel 150 liter country made liquor was recovered from a Tempo.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have been falsely implicated in this case. He further submits that nothing has been recovered from conscious possession of the petitioners. He further submits that petitioner no. 1 is driver of the said vehicle and petitioner no. 2 is passenger and petitioner no. 3 is owner of the said vehicle., Petitioner no. 1 and 2 are in custody since 11.02.2021 and petitioner no. 3 is in custody since 12.02.2021.

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 petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned special Judge, Excise , Patna in connection with Special Case No. 1021 of 2021 arising out of Nadi P.S.Case No. 22 of 2021, subject to the following conditions;-

1. Petitioners 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 petitioners 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 petitioners 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 petitioners. 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)

N.K/-

U		T	
---	--	---	--

