

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38144 of 2021

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

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Dinesh Kumar Son of Surendra Mehta Resident of Village - Khiriawan, P.S.-
Madanpur, District - Aurangabad - 824208.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

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

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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 Bihar Prohibition and Excise
Act 2018.

On search by the police personnel, 2800 liters
country made 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 nothing has been
recovered from conscious possession of the petitioner. It appears



from the F.I.R itself that petitioner was arrested from the Scorpio and he has no concerned with the seized liquor Petitioner is in jail custody since 24.02.2021. Learned counsel for the petitioner submits that co-accused namely, Chandan Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 37435 of 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 Sessions 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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