

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38470 of 2021**

Arising Out of PS. Case No.-190 Year-2021 Thana- DARIYAPUR District- Saran

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Anant Singh @ Anant Kumar Son of Late Bhageran Singh Resident of
Village - Porai, Police Station - Dariyapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

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

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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 Dariyapur. P. Case No. 190 of 2021 for the offences
punishable under Section 30(a) 32(i), 42 of Bihar Prohibition
and Excise Act 2016.

On search by the police personnel 280 liters illicit
country made liquor was recovered from the room of the
petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and has falsely been implicated
in this case. He further submits that nothing has been recovered



from conscious possession of the petitioner, the alleged recovery was made from the house of the petitioner. Petitioner is in jail custody since 31.03.2021. It appears from the seizure list, prepared on 15.04.2021 at about 1.10. p.m and the F.I.R, registered on 15.04.2021 at 2.15 p.m, that the F.I.R was registered much after the preparation of the seizure list.

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 2nd Additional Sessions Judge-II cum Special Judge, Excise, Chapra, Saran in connection with Dariyapur P.S. Case No. 190 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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