

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12973 of 2021**

Arising Out of PS. Case No.-247 Year-2019 Thana- KARAKAT District- Rohtas

NEERAJ KUMAR @ NEERAJ KUMAR SINGH Son of Pramod Singh @
Gopal Singh Resident of Village - Burhawal or Burhwal, P.S.- Karakat,
District- Rohtas at Sasaram.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Petitioner, in the present case, is seeking regular bail in connection with Karakat P.S. Case No. 247/2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per prosecution story, while on getting the secret information that some accused persons have stored illegal wine in the house of Gopal Singh and selling the same, the informant rushed to the place and on seeing the police party the accused persons fled away and one of them was apprehended on the spot and disclosed the name of accused persons as well as petitioner who were fled away



from the spot and on search total 281.600 liters of illegal liquor were recovered from the abandoned house of Gopal Singh.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the alleged recovered illegal liquor is not found from the possession of the petitioner and he is in jail since 07.07.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the alleged recovery of 281.600 liters of illegal liquor is not found from the possession of the petitioner and he has been made accused only because of the two earlier cases against him, he is in custody for more than 11 months in connection with the present case, investigation against him is complete and at this stage there is no submission of the State that the release of the petitioner on bail is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge – cum – Special Judge, Excise, Rohtas at Sasaram in connection with Karakat P.S. Case No. 247/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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 petitioner has concealed his 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

