

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2295 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MALAYPUR District- Jamui

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SANJEEV KUMAR @ SANJEEV SINGH Son of Bhola Singh @ Lalo Singh
Resident of Village - Dariyapur, P.S.- Barahiya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivam,Adv

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272,273/34 of IPC and Sections 30(a),36,41(i) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 2160 liters of liquor.

Learned counsel appearing for the petitioner submits that the petitioner has is not named in the FIR. The name of the petitioner has been transpired only on the basis of self-confessional statement of the petitioner in Lakhisarai



(Kawaiya) P.S.Case No.188 of 2021. he further submits that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the Truck and Car in question. He further submits that the petitioner is neither the driver nor the owner of the Truck or Car in question and the petitioner is in custody since 01.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Malaypur P.S. Case No.57 of 2021, with 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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