

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2731 of 2022**

Arising Out of PS. Case No.-230 Year-2021 Thana- GUTHANI District- Siwan

=====

BHANU PRATAP SINGH @ BHANU PRATAP SON OF LATE  
NARSINGH BAHADUR SINGH RESIDENT OF VILLAGE- BANKATA  
AMETHIA, P.S. BHAT PAR RANI, DISTRICT- DEORIA (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ramadhar Shekhar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      20-06-2022                      Heard learned counsel for the petitioner and the  
  
State.

Petitioner seeks regular bail in a case registered for  
the offence punishable under section 30(a) of the Bihar  
Prohibition and Excise Act and various sections of the Arms  
Act.

Allegedly, from the possession of co-accused, one  
loaded country made pistol with two live cartridges was  
recovered and from Scorpio vehicle about 213 liters of foreign  
liquor was recovered and the petitioner and co-accused person  
were arrested at the spot.

The main submissions advanced by the learned  
counsel for the petitioner are that petitioner has no criminal



antecedent and has been languishing in jail since 22.9.2021 and alleged firearm was not recovered from the possession of the petitioner and from perusal of the FIR, it does not appear that the petitioner was arrested from the alleged vehicle and investigation has been completed.

Learned APP opposes the prayer for bail.

Having considered the above submissions, the petitioner's custody period, as per learned counsel for petitioner investigation has been completed, the case of the petitioner is at the initial stage of trial and as per submission petitioner has got no criminal antecedent, let the petitioner 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 the Additional Sessions Judge II-cum- Special Judge, Excise Act, Siwan in Guthani Police Station Case No. 230 of 2021 on 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 below and shall remain physically present as directed by the Court below 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

**(Shailendra Singh, J)**

s.hassan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

