

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7006 of 2022

Arising Out of PS. Case No.-709 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Ram Pravesh Rai Son of Late Bedhan Rai Resident of Village- Sishauni
Rajauli, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.

For the Opposite Party/s : Mr.Akbar Ali, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 414 of Indian Penal Code
and Section 30(a) of Bihar Prohibition and Excise Act.

Allegedly 300 litres country-made liquor was
recovered from a tempo and petitioner is alleged to have been
escorting the alleged vehicle at the time of recovery and as per
co-accused the alleged wine belonged to this petitioner.

The main submissions advanced by learned counsel
for the petitioner are that this petitioner was not arrested at the



spot, there are two criminal antecedent of the petitioner in which he is on bail and in this case the name of this petitioner surfaced in the statement of co-accused on which basis he was made accused.

Learned APP has opposed the prayer for bail.

Having considered the above submissions and considering petitioner's custody period and mainly the fact that as per the order of court below the investigation has been completed and cognizance of the alleged offences has been taken and the petitioner's case is at initial stage of trial, in my view a lenient approach can be taken, accordingly, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of like amount each to the satisfaction of concerned Court in connection with Hajipur Sadar P.S. case No. 709 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tempers 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.

(4) 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 other than two cases mentioned in the petition, of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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