

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7113 of 2022**

Arising Out of PS. Case No.-92 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Vaibhav Kumar @ Vaibhav Bardhan @ Bittu Kumar @ Bittu Singh Son Of
Mirtunjay Kumar Resident Of Village- Maheshwara, P.S.- Nawkothi, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

2 31-08-2022 Learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter.

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

This is the second attempt of the petitioner to obtain
regular bail in connection with Navkothi P.S. Case No.92 of
2018 registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016. He is in custody
since 13.10.2020. The petitioner has got six criminal
antecedents as stated in paragraph '3' of this application.

Earlier the prayer for bail of the petitioner was
rejected vide order dated 16.04.2021 passed in Cr.Misc.No.5620
of 2021 with liberty to the petitioner to renew his prayer for bail



if the trial is not concluded within nine months from the date of receipt/production of a copy of the order.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.10.2020 and the trial has yet not concluded and is not likely to be concluded in near future.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to its observation in the order dated 16.04.2021 passed in Cr.Misc.No.5620 of 2021 granting liberty to the petitioner to renew his prayer for bail if the trial is not concluded within nine months from the date of receipt/production of a copy of the order and that the petitioner is in custody since 13.10.2020 and the Court has been informed by learned counsel for the petitioner that the trial has yet not concluded and is not likely to be concluded in near future, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Nawkothe P.S. Case No.92 of 2018, subject to the conditions as laid down under Section 437(3) Cr.P.C.



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.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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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'.

