

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7663 of 2022

Arising Out of PS. Case No.-848 Year-2021 Thana- NAGAR District- Vaishali

KUNDAN KUMAR Son of Shatrughan Ray Resident of Village - Diwan
Tok , P.S.- Ganga Bridge, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv

For the Opposite Party/s : Ms.Pronoti Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 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 Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 414,272,273 of IPC and 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Recovery is of 860 liters of of country made liquor.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that altogether 860 liters of country made liquor has been recovered from the Scorpio in question. He further submits that in fact the petitioner is driver of the vehicle in question and the said Scorpio belongs



to co-accused, namely, Lalu Rai and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.10.2021.

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

Considering the aforesaid facts, 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 Hajipur Town P.S. Case No.848 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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