

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7497 of 2022

Arising Out of PS. Case No.-301 Year-2021 Thana- LAUKAHI District- Madhubani

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HARISCHANDRA KHATWE Son of Ram Ekbal Khatwe Resident of
Village- Aurha, Police Station- Laukhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Bilash Roy Raman, Adv

For the Opposite Party/s : Ms.Sangeeta Sharma,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2022 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

APP for the State.

Petitioner seeks bail in a case registered for the

offence punishable under Sections 272,273,34 of IPC and

Section 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 140.700 liters of Nepali liquor.

Learned counsel appearing for the petitioner submits

that the petitioner has clean antecedent. He has falsely been

implicated in the present case. He further submits that it

appears from the FIR as well as seizure list that nothing has

been recovered from conscious possession of the petitioner



rather the recovery has been made from one bag which was thrown by the accused persons. He further submits that the petitioner was arrested on the basis of suspicion and nothing has been recovered from conscious possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 30.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Laukahi P.S. Case No.301 of 2021, G.R.No.2566 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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