

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9021 of 2022**

Arising Out of PS. Case No.-164 Year-2021 Thana- KANHAULI District- Sitamarhi

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NAEEMUDDIN ANSARI SON OF LATE SAIDUL ANSARI R/O
VILLAGE- MURHA GHAT, P.S.- KANHAULI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Mr.Asha Devi, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 14-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 30(a) of the Bihar Prohibition
and Excise Act.

Recovery is of 72 liters of Nepali liquor.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case on the
basis of suspicion. He further submits that the petitioner has
not been named in the F.I.R. but merely on the basis of
confessional statement of the co-accused, he has been made
accused in this case. He further submits that nothing has



been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the bags kept near the Murhaghat Band and the petitioner has no concern with the alleged recovery. The petitioner is rotting in judicial custody since 21.12.2021.

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, above named, 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 learned Court below where the case is pending in connection with Kanhauli P.S. Case No. 164 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 canceled 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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