

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9686 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- RISIYAP District- Aurangabad

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SANJEET PRASAD S/o Late Krishna Bihari Saw Resident of Village- Nawa Jaipur, P.S.- Nawa Jaipur, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, 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 Section 30(a) of the Bihar Prohibition and
Excise Act.

Recovery is of 240 liters of country made 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. He
further submits that nothing has been recovered from the
conscious possession of the petitioner rather the alleged
recovery has been made from the Bolero and Mahindra SUV
vehicle and the petitioner has no concern with the alleged



recovery. He further submits that the petitioner is said to be driver of the alleged vehicle but he has no knowledge about the alleged liquor. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 10.01.2022.

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 Risiup P.S. Case No. 3 of 2022 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.

(3) One of the bailors shall the mother of the petitioner.

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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