

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10619 of 2022

Arising Out of PS. Case No.-790 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

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VINAY KUMAR SON OF AMIR ROY RESIDENT OF VILLAGE- BARI
AGHU MOHAN TOLA, WARD NO. 04, POLICE STATION- MUFFASIL,
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-06-2022 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 120(B) of the Indian Penal Code
and Section 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

Recovery is of 382.16 liters of Indian made foreign
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 the name of the petitioner has
transpired in this case on the basis of disclosure made by the



apprehended persons. The petitioner has not been arrested from the spot. He further submits nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the Pick up van and the petitioner has no concern with the alleged recovery and the vehicle in question. He further submits that similarly situated the co-accused, namely, Chhote Mahto @ Ramashish Mahto and Raushan Kumar have already been granted bail by this Court vide order dated 15.06.2022 and 14.06.2022 passed in Cr. Misc. No. 9816 of 2022 and Cr. Misc No. 9656 o 2022, respectively. The petitioner is rotting in judicial 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, 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 Town P.S. Case No. 790 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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