

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23428 of 2021**

Arising Out of PS. Case No.-36 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Rajesh Ram Son Of Late Bechan Ram R/O Village- Brindaban Mauze, P.S.-
Uchakaganw, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi,Adv
For the Opposite Party/s : Mr.Atul Chandra, APP

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

4 13-01-2022 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 the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Excise
Case No. 36 of 2021 registered for the offence under Section
30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

297.00 litres of country made liquor was recovered
from a room besides the poultry farm and courtyard of the
petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present



case. He further submits that it appears from the FIR itself that nothing has been recovered from conscious possession of the petitioner. He further submits that the recovery of the alleged liquor is from poultry farm or courtyard of the house of the petitioner. Petitioner is in custody since 31.01.2021.

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 fact and period of custody, 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Excise Case No. 36 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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