

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18439 of 2022**

Arising Out of PS. Case No.-46 Year-2022 Thana- DURAULI District- Siwan

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BABLU KUMAR SON OF UPENDRA GUPTA R/O VILLAGE-
BHITAULI, P.S.- DARAULI, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Anita Kumari, APP

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

2 29-07-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State through video conferencing.

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 110 liters of 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 it appears from the F.I.R and the seizure
list, total 110 liters of country made has been recovered
from backside of the house of the petitioner but nothing
illegal or as alleged in the F.I.R. has been recovered from the



conscious possession of the petitioner. He further submits that the petitioner has no concern at all with the alleged recovery. He further submits that the petitioner has been made accused in this case on the basis of disclosure made by the local people who are having inimical terms with the petitioner. The petitioner is rotting in judicial custody since 18.02.2022.

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 Darauli P.S. Case No. 46 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.

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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