

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18912 of 2022

Arising Out of PS. Case No.-205 Year-2020 Thana- KUMAR KHAND District- Madhepura

BITTU KUMAR S/O RAVINDAR YADAV @ RAVEN YADAV R/o village-
Bhadol, P.S. and District- Madhepura, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Shekhar, Adv

For the Opposite Party/s : Mr.Yogendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2022 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 learned APP for the State.

The petitioner seeks bail in a case registered for the offence under Section 30(A) of Bihar Prohibition and Excise Act, 2016.

Recovery is of 384 liters of illegal English wine.

Learned counsel appearing for the petitioner submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the suspicion. He further submits that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from one Mahindra Pick-Up Van and the petitioner



has no concern at all with the alleged recovery or the Van in question and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is rotting in judicial custody since 16.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Kumarkhand (Bhatani O.P.) P.S. Case No. 205 of 2020, 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)

Nitesh/-

U		T	
---	--	---	--

