

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18899 of 2022**

Arising Out of PS. Case No.-55 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MUKESH KUMAR Son of Badri Raut @ Badri Purve Resident of Village -
Bhutahi Ward no.4, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar,Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal,APP

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**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 Amendment Act, 2018.

Recovery is of 252 liters of Nepali Saufi liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that altogether 252 liters of Nepali Saufi liquor has been recovered



from the Car in question and nothing has been recovered from conscious possession of the petitioner and the petitioner has no concern at all with the alleged recovery or the car in question and the petitioner is rotting in judicial custody since 06.02.2022.

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 C2-55/2022, 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 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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