

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21241 of 2022**

Arising Out of PS. Case No.-212 Year-2018 Thana- NAWANAGAR District- Buxar

Govind Kumar Sharma @ Govind Sharma S/o Laljee Sharma R/o village-
Koransarai, P.S.- Koransarai, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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

2 08-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(A) of the Bihar
Prohibition Amendment and Excise Act, 2018.

Recovery is of total 3556 litres of illicit foreign liquor.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the name of the petitioner
has been transpired on the basis of confessional statement of co-
accused Pappu Singh @ Narendar Kumar. He further submits
that nothing has been recovered from the possession of the



petitioner and similarly situated co-accused namely Pappu Singh @ Narendar Kumar has been granted bail by the Co-ordinate Bench of this Court vide order dated 25.01.2019 passed in Cr. Misc. No. 3865 of 2019 and another co-accused persons namely Santosh Yadav and Ashok Yadav have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 31.01.2019 in Cr. Misc. No. 5512 of 2019, another co-accused namely Dipak @ Deepak has been granted bail by the Co-ordinate Bench of this Court vide order dated 15.02.2019 in Cr. Misc. No. 9040 of 2019 respectively. The petitioner is in custody since 10.12.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Nawanagar P.S. Case No. 212 of 2018, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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