

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22154 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Subodh Patel Son of Late Shyam Babu Patel Resident of Mohalla - Andigola,
Ward No.- 22, P.S.- Town, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-07-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Ravi Ranjan, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Muzaffarpur Town P.S. Case No. 133 of 2022
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, it is alleged that while the
police was on patrolling duty they intercepted a motorcycle and
one scooty and on search being made total 0.75 litres of foreign
liquor was recovered from the possession of the petitioner.



It is submitted by the learned counsel appearing on behalf of the petitioner that the name of the petitioner has been implicated in this case because of the past criminal antecedent, though nothing has been recovered from the person or possession of this petitioner. It is further submitted that both the motorcycle and scooty do not belong to the petitioner and the same belongs to one Sanjeev Kumar and Harendra Pandit respectively. It is also submitted that the petitioner is in custody since 14.02.2022 and the investigation of the crime is already completed.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is found involved in four other criminal cases of similar nature. In response to the aforesaid submission learned counsel for the petitioner submits that the petitioner is on bail in three of the cases and the bail application one of the cases is pending for final adjudication before the learned Court below.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the recovery is of 0.75 liters of foreign liquor and moreover the vehicles do not belong to the petitioner and petitioner is in custody since 14.02.2022, though the investigation of the crime



is already completed and the charge-sheet has already been submitted in this case, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court No.1, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 133 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail



bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

mdrashid/-

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

