

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24688 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- SHIVSAGAR District- Rohtas

Pravindra Gaud @ Parmendra Gond, Son of Late Dev Gond, R/o Village-
Basantpur, P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-07-2022 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. Sidharth Harsh, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Shivsagar P.S. Case No. 117 of 2022 registered
for the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per the prosecution case, it is alleged that while the
police was on patrolling duty, they intercepted a Scorpio vehicle
and on search being made 336 litres of Kingfisher Beer was
seized. It is also alleged that while intercepting the vehicle, the
same was collided and three persons, who were sitting in the



vehicle, tried to flee away, however, they were apprehended by the police.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner was not arrested from the vehicle, rather from the prosecution case it appears that he was apprehended while he was fleeing from the vehicle. It is next submitted that the petitioner has no concern with the vehicle nor from the alleged recovered illicit bear. It is further submitted that the vehicle belongs to one Rajpati Choudhary and only because of the past criminal antecedent, his name has been implicated in this case. It is lastly submitted that though his name has been implicated in six other criminal cases, but out of six, in four cases his name has been transpired in the confessional statement and moreover this petitioner is in custody since 25.03.2022, though the investigation of the crime is already completed and charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner has multiple criminal antecedent and he was caught on the spot.

Having considered the submissions made on behalf of the parties and considering the fact that the investigation of the crime is already concluded and the charge-sheet has been



submitted and there is no likelihood of commencement of trial in near future and moreover the vehicle, in question, does not belong to the petitioner and he is in custody since 25.03.2022, 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 Additional Sessions Judge-XIII-cum-Special Judge, Excise Act-II, Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 117 of 2022, subject to the condition that one of the bailors will be the local residents/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)

uday/-

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

