

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33994 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- AMARPUR District- Banka

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Dinesh Tuddu @ Dinesh Hansda Son of Jamru Tuddu @ Jamru Hansda
Resident of Village - Mahadeo Asthan, Police Station - Amarpur, District
Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in Virtual Court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Amarpur P.S.

Case No. 130 of 2021 registered for the offences punishable

under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

According to prosecution case, total 100 liters country

made liquor has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that

petitioner has clean antecedent and has committed no offence



and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that 100 liters country made wine has been recovered from the house of the petitioner. He further submits that nothing has been recovered from conscious possession of the petitioner and the petitioner has no knowledge about the recovered wine. The petitioner is in custody since 06.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Banka in connection with Special Excise Case No. 200 of 2021 arising out of Amarpur P.S. Case No. 130 of 2021, 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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