

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25520 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- RUPASPUR District- Patna

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Sunny Kumar Son Of Binod Singh R/O- Rupaspur Bhattha, Near To Indian
School, P.S.- Rupaspur, District- Patna Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-11-2022

Learned counsel for the petitioner shall remove all the defects as pointed out by office within three weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Special Case No. 714 of 2021 arising out of Rupaspur P.S. Case No. 44 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018. He is in custody since 28.01.2021. He has got eight criminal antecedents and in all the cases, he is on bail as stated in paragraph '3' of the application.

Earlier prayer for regular bail of the petitioner was rejected vide order dated 28.10.2021 passed in Cr. Misc. No. 30872 of 2021 with observation that if the trial remains unconcluded within a period of six months for no reason attributable to the petitioner, he may renew his prayer for bail.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.01.2021 and the trial is not progressing well.



Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the liberty granted to the petitioner and the submission that he is in custody since 28.01.2021 and the trial has yet not been concluded, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Danapur, Patna in connection with Special Case No. 714 of 2021 arising out of Rupaspur P.S. Case No. 44 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

Certified copy of this application shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

