

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30076 of 2022

Arising Out of PS. Case No.-167 Year-2016 Thana- AKBARPUR District- Nawada

Indrapal Ram Son Of Chandrashekhar Ram Resident Of Village- Panditpur,
P.S- Rajgir , Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 47(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 376.20 liters of illicit wine.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR as well as seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made



from the vehicle in question. In fact the petitioner is owner of the vehicle in question. He has no concern at all with the alleged recovery and the driver of the vehicle who was master mind of the present occurrence and the petitioner has no concern at all and the petitioner is in custody since 28.03.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Akbarpur P.S. Case No.167 of 2016, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.



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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