

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29589 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- KARJA District- Muzaffarpur

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Bipin Kumar @ Bipin Sahni Son of Ram Balak Sahani @ Rambalak Sahni
Resident of Village - Akhtiyarpur, P.S.- Marwan, District - Muzaffarpur,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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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 in virtual court proceeding.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 272, 273/34 of the Indian

Penal Code and Section 30(A) of the Bihar Prohibition and

Excise Act, 2016-2018.

Recovery is of 323.280 litres of illicit foreign

liquor.

Learned counsel for the petitioner submits that the

petitioner has been falsely implicated in the present case only on



the basis of suspicion. He further submits that 323.280 litres of illicit foreign liquor was recovered from the vehicle in question and the petitioner is neither the owner nor the driver of the vehicle in question. He further submits that nothing has been recovered from the conscious possession of the petitioner and co-accused namely Munna Kumar @ Munna Rai has been granted bail by a Coordinate Bench of this Court vide order dated 20.05.2022 in Cr. Misc. No. 54227 of 2021 and the petitioner is in custody since 13.03.2022.

Learned APP 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/- (Rupees 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 Karja P.S. Case No. 85 of 2021, 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 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 witness, 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 antecedents, 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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