

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43934 of 2021

Arising Out of PS. Case No.-29 Year-2021 Thana- GAYA MUFASIL District- Gaya

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Vikram Kumar, Son of Kishre Singh, Resident of Village - Mirzapur, P.S.-
Mofassil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Adarsh Singh, Adv.

For the Opposite Party/s : Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.
Shaheen Begum, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Mufassil P.S. Case No.29 of 2021 registered for
the offences punishable under Section 37(2) of the Bihar
Prohibition and Excise Act, 2016. He is in custody since
15.01.2021. The petitioner has got two criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story the allegation against the petitioner is that
he was found in drunken condition.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 15.01.2021.

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

Having regard to the submission that the allegation that the petitioner was found in drunken condition is completely false, he has been implicated in this case when he protested against the police action, he has remained in custody in connection with this case for over one year and investigation against him is complete, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Mufassil P.S. Case No.29 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 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.

(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'.

