

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46056 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- TEGHRHA District- Begusarai

GOVIND KUMAR @ GOVIND SINGH S/o- RAM SARAN SINGH
Resident of Village- Madhurapur Purbari Tola, P.S.- Teghara, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 10-03-2022 Supplementary affidavits have been filed on behalf of

the petitioner for making necessary correction in the bail

petition.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 Teghara P.S.

Case No. 240/ 20 registered for the offences punishable under

Section 120(B) of the IPC and Sections 30(a), 40(1)(2) of Bihar

Prohibition and Excise Amendment Act, 2018.

There is recovery of 881.28 litres of illicit liquor.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact, the petitioner was not apprehended on the spot and the name of the petitioner has been transpired on the basis of information given by the chowkidar. He further submits that it appears from the FIR that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the bush. He further submits that police after investigation submitted charge sheet against the petitioner and other accused person and the petitioner is in custody since 15.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries three criminal antecedent.

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 2nd cum Special Judge, Excise Act, Begusarai in connection with Teghara P.S. Case No. 240/ 20, 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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