

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45059 of 2021

Arising Out of PS. Case No.-32 Year-2019 Thana- PATEPUR District- Vaishali

MUNSI RAM, S/o Late Sundar Ram, R/o Village - Sahbajpur Puraina, P.S. -
Patepur, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Chandrakant, Advocate
		Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s :		Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-02-2022 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 Mr. Kumar Veerendra Narayan, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Patepur P.S. Case No. 32 of 2019 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018. He is in custody since 18.04.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that the petitioner was earlier granted bail by the learned court below on 18.02.2019 but unfortunately he could not put his appearance



before the learned trial court on 17.03.2021, resulting his bail bond has been cancelled.

Learned counsel for the petitioner submits that for misuse of privilege of bail for only one date, the petitioner is in custody after cancellation of bail bond since 18.04.2021 but the trial has not been concluded as yet.

Mr. Kumar Veerendra Narayan, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that it is a case of misuse of privilege of bail of only one date and then the subsequent spread of the pandemic COVID-19 were the reasons for non-appearance of the petitioner, after his arrest in connection with this case after cancellation of his bail bond he has remained in custody since 18.04.2021 but till date the trial has 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Patepur P.S. Case No. 32 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.



Further condition that the petitioner shall put his appearance before the learned trial court on each and every date fixed in the matter and two consecutive defaults in putting appearance shall invite action towards cancellation of bail bond of the petitioner by the court below itself.

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.

(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'.

