

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52648 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- TEGHRHA District- Begusarai

Rohit Kumar, Son of Hareram Kunwar @ Hareram Kunvar @ Hareram Kuwar @ Hareram Kumar, Resident of Village- Pidhaulti, Ward No.05, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-06-2022 Heard learned counsel for the petitioner and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Teghra P.S. Case No. 198 of 2020 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner has submitted that, as per allegation, 110.125 liters of foreign liquor was recovered from 'Dera' of Upendra Paswan @ Bhulla, which is situated near 'Baba Asthan' at Prathmik School, Pidhaulti.



However, the petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 21.06.2021. Regarding the antecedent of the petitioner, learned counsel has submitted that he has made accused in two other cases i.e. Teghra P.S. Case No.176 of 2021 under Section 30 (a) of Bihar Prohibition and Excise Act and Teghra P.S. Case No.155 of 2021 under Section 30 (a) of Bihar Prohibition and Excise Act.

Learned APP has opposed the prayer for bail, submitting that the petitioner is having criminal antecedent in similar nature.

Having regard to the submissions made hereinabove and considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P.S. Case No.198 of 2020, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the



petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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