

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39862 of 2022

Arising Out of PS. Case No.-378 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

TARKESHWAR SINGH Son of Late Ram Naresh Singh Resident of Village -
Kund, P.S. Dinara, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-11-2022 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 Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 37(2) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Recovery is of 11 bottles of country made liquor each containing 200 ml.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case on the basis that the Car in question was



registered in the name of the petitioner. Further submits that in fact nothing has been recovered from possession of the petitioner and the petitioner has already sold his Car to one Seema Devi wife of Manjit Singh vide sale letter dated 26.06.2019 and the petitioner has no concern at all with the alleged recovery or the Car in question.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned court below where the case is pending in connection with Buxar Mufassil P.S. Case No. 378 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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)

Nitesh/-

U		T	
---	--	---	--

