

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56054 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- SUPPI District- Sitamarhi

Robin Kumar @ Bhulia, Son of Rambabu Rai, Resident of Village- Pakri,
P.S.- Suppi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-03-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Mritunjay Kumar Nirala, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Suppi P.S. Case No.89 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 22.06.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that, as per the prosecution story, 936 bottles of illicit liquors were allegedly recovered from a Sarehi situated in the back side of the house of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the recovery is not from the house of the petitioner and/or his conscious possession. It is submitted that the petitioner has otherwise no criminal antecedent and has remained in custody in connection with this case since 22.06.2021.

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

Having regard to the submissions that from the seizure list it would appear that the illicit liquors were allegedly recovered from a Sarehi situated in the back side of the house of the petitioner, the petitioner has been falsely implicated in this case even though the recovery is not from his house and/or his conscious possession, he has otherwise no criminal antecedent and has remained in custody in connection with this case since 22.06.2021, investigation against him is complete and his presence may be secured in course of trial, therefore, 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 A.D.J.-II-cum-Special Judge (Excise



Act), Sitamarhi in connection with Suppi P.S. Case No.89 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'.

