

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41240 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- CHANAN District- Lakhisarai

Mordhwaj Pandit @ Morhavaj Pandit S/O Bhagwan Das Pandit Resident of
village- Sirchan Nawada, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 Learned counsel for the petitioner is permitted to remove
the defects, as pointed out by the office, if any, within a period
of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State in the Virtual Court proceeding.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 414, 272,
273 and 34 of the Indian Penal Code and 30(a) of Bihar
Prohibition and Excise (Amendment) Act 2018.

Recovery is of 40 litres of Mahua liquor.

Learned counsel for the petitioner submits that the
petitioner is of clean antecedent and he has falsely been
implicated in the present case only on the basis that petitioner is
owner of the motorcycle in question from which the alleged



recovery of illicit liquor has been made. He further submits that in fact the petitioner has no concern with the alleged recovery and in fact the motorcycle was taken by the co-accused namely Bablu Mandal for some work and he was apprehended with the alleged liquor. Petitioner has no concern at all with the alleged recovery and he has no knowledge whether the co-accused namely Bablu Mandal is involved in the present occurrence.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chanan P.S. Case No. 68 of 2021, 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witness, 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 antecedents, 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)

sandeep/-

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

