

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50834 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

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KRISHNA KUMAR SINGH @ KRISHNA KUMAR Son of Late Ramadhar Singh Resident of Gara Basa Colony, Line No. 07, Quarter No. 621, P.S. Golmurhi, District - Jamshedpur, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Siwan Muffasil P.S. Case No. 171 of 2021 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 41(1) of the Bihar Prohibition and Excise Act.

As per prosecution case, 90 litres of liquor was recovered from the Scorpio and 4320 litres of liquor was recovered from DCM truck.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and has falsely been implicated in the present case. Petitioner is not named in the F.I.R. He further submits that allegation against the petitioner is that the petitioner was erstwhile owner of the DCM truck bearing Registration No. CG 04 JB 1164 and he has sold the said DCM truck to one Nitin Kumar Verma on 21.12.2020. Petitioner is in custody since 27.07.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Siwan in connection with Siwan Muffasil P.S. Case No. 171 of 2021 with the 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 absence on two consecutive dates without sufficient reason, his bail bond shall be canceled 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.

(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 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)

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