

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53844 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- DIDARGANJ District- Patna

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RITESH KUMAR @ RITESH SINGH Son of Indradev Singh Resident of
Khanpur, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2022 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 the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Special Case No. 2674 of 2020 arising out of Didarganj P.S.

Case No. 60 of 2020 registered for the offence under Section

30(a) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 300.42 liters of English wine.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. In fact,



nothing has been recovered from the conscious possession of the petitioner. According to the F.I.R., the alleged recovery has been made from the under constructed house of co-accused, Subhash Singh. This petitioner has no concern with the alleged recovery. Moreover, the co-accused, namely, Subhash Prasad @ Subhash Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.06.2021 passed in Cr. Misc. No. 17076 of 2021. The petitioner is rotting in judicial custody since 12.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Special Judge, Excise, Patna in connection with Special Case No. 2674 of 2020 arising out of Didarganj P.S. Case No. 60 of 2020 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/her absence on two consecutive dates



without sufficient reason, his/her 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.

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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