

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53686 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- ROH District- Nawada

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Tuntun Rajbanshi Son Of Pradip Rajbanshi R/O Village- Bhupesh Nagar,
P.S.- Roh, Dist.- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2022 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Roh P. S Case No. 35 of 2020 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

110 liters Mahua country made liquor was recovered
from a hut adjacent to the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case on the basis of
suspicion. He has clean antecedent. It appears from the F.I.R
that recovery has been made from a hut adjacent to the house of



the petitioner. Petitioner is in custody since 15.05.2021.

The learned A.P.P opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Nawada in connection with Roh P.S.Case No. 35 of 2020,subject to 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper 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 petitioners have concealed their



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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