

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53638 of 2021

Arising Out of PS. Case No.-239 Year-2020 Thana- BACHHWARA District- Begusarai

NIRANJAN @ NARENDRA KUMAR SON OF LATE GANGA PRASAD
SINGH R/O - AALAMPUR KODARIYA, P.S.- BIBHUTIPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prahalad Kumar Bhagat, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2022 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 through video conferencing.

The petitioner seeks bail in connection with Bachhwara P.S. Case No. 239 of 2020 registered for the offence under Sections 414, 467, 468, 471 and 120(B) of the Indian Penal Code and Section 30(a), 32(2) and 41 of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 2444.7 liters of foreign liquor.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been



implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from a Truck bearing registration No. BR-14G-8481. The petitioner has no concern with the alleged recovery and the vehicle in question. Moreover, co-accused, namely, Toni Paswan, who is said to have been apprehended from the spot and on whose confession, this petitioner has been apprehended in this case, has already been granted bail by a co-ordinate Bench of this Court vide order dated 16.11.2021 passed in Cr. Misc. No. 25007 of 2021. The petitioner is rotting in judicial custody since 02.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one as is evident from paragraph-3 of the petition.

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 2nd A.D.J. -cum- Special Judge, Excise Act, Begusarai in connection with Bachhawara P.S. Case No. 239 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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