

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54689 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- MINAPUR District- Muzaffarpur

ARVIND KUMAR Son of Mahichandra Sahni Resident of Village - Dharpur,
P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar,Adv

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-01-2022 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 in virtual Court proceeding.

The petitioner seeks bail in connection with Minapur P.S.Case No.61 of 2021 registered for the offence under Sections 272,273,414,120(B)/34 of the Indian Penal Code and Sections 30(a)/33 of Bihar Prohibition and Excise Act, 2018.

107.200 liters of illicit foreign liquor and 60 liters of sprit were recovered from the adjacent place near the house of the petitioner and from one Zylo Car.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that it appears from the FIR itself that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the adjacent place near the house of the petitioner and from one Zylo Car. He further submits that the petitioner has no concern with the said Zylo Car and the petitioner is in custody since 02.03.2021.

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

Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 Act, Muzaffarpur in connection with Minapur P.S.Case No.61 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled 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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