

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54150 of 2021

Arising Out of PS. Case No.-246 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

SATYA PRAKASH KUMAR @ SATYA PRAKASH @ TUFANI Son of Late
Basudeo Sah Resident of Village - Amara Talab, Sheoganj, P.S. - Sasaram
(M), District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rameshwar Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-03-2022 Supplementary affidavit has been filed on behalf of

the petitioner for making necessary correction in the bail

petition.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

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 Sasaram (M)

P.S. Case No. 246/ 2021 registered for the offence punishable

under Section 30(a) of Bihar Prohibition and Excise

Amendment Act, 2018.

There is recovery of 165 litres of illicit country made



liquor.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that in fact, nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from ruin house which was situated near the house of the petitioner. Petitioner has no concern with the alleged recovery. He further submits that petitioner was not arrested at the spot. He further submits that there is violation of Section 100 of the Cr.P.C. and the police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 04.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries two criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge II cum Special Judge (Excise) Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 246/2021, 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 his absence on two consecutive dates without sufficient reason, his 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.

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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