

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54686 of 2021

Arising Out of PS. Case No.-349 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SANJIV RAI @ SANJIB ROY S/o Late Garib Rai Resident of Village- Bari
Eghu, Ward No.41, P.S.- Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Adv
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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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 Muffasil
P.S.Case No.349 of 2021 registered for the offence under
Sections 120(B) of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

On searching the house of the petitioner, police found
total 111.06 liters of foreign liquor.

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 nothing has been recovered from the conscious possession of the petitioner. He further submits that the alleged recovery of 111.06 liters of foreign liquor is from the house of the petitioner. Petitioner is in custody since 02.07.2021.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Muffasil P.S.Case No.349 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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