

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56120 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- SUPPI District- Sitamarhi

Rahul Kumar, Son of Shatrughan Singh, Resident of Village - Gharwara, P.S.-
Suppi, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-03-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.
Pushpa Sinha, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Suppi P.S. Case No. 89 of 2021 registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act. He is in custody since 27.07.2021
having one criminal antecedent, but in the said case, he is on
bail.

As per the prosecution story, while the informant got a
confidential information that the accused persons are going to
deliver the illicit liquor to the petitioner at his poultry farm in



the village Gharwara, thereafter he reached at the poultry farm of the petitioner and started vehicle checking, in the meantime he saw one motorcycle coming in high speed and when he tried to stop the motorcycle, the accused persons tried to escape but they were apprehended with the help of police force and on search of the bag total 60 liters of Nepali wine were recovered. The informant further alleged that on disclosure of the accused persons police recovered 280 liters Nepali wine from the land of Robin Kumar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. There is no recovery of illicit liquor from the possession of the petitioner.

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

Having regard to the submission that there is no recovery of illicit liquor from the possession of the petitioner, the petitioner has got one criminal antecedent but in the said case he is on bail and in connection with the present case he has remained in custody since 27.07.2021, investigation against him is complete and his presence may be secured in course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – II – cum – Special Judge (Excise), Sitamarhi in connection with Suppi P.S. Case No. 89 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

