

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55862 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- SAKRA District- Muzaffarpur

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KESHAR SINGH Son of Sikandar Singh Resident of Village - Mauhalla,
House No.107/A, BirKaraari, P.S.- Lapraan, Distt.- Ludhiana, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Adv

For the Opposite Party/s : Mr.Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-01-2022 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 Sakra P.S.Case No.120 of 2020 registered for the offence under Sections 272,273,419,420,467,468,471 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that total 10333.440 liters of foreign liquor was recovered from the truck of the petitioner.

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 is admitted fact that the petitioner is owner of the truck in question. He further submits that the petitioner has no information about the alleged recovery from the Truck. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that on the date of occurrence petitioner was in Ludhiyana. Petitioner is in custody since 01.04.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner on the ground that there is huge quantity of liquor has been recovered from the truck in question.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Sakra P.S.Case No.120 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 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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