

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56241 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- KUTUMBA District- Aurangabad

Romil Kumar, Son of Arvind Singh @ Arvind Singh, Resident of Village -  
Ajaniya, P.S.- Simra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      06-04-2022      Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md. Renu Kumari, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kutumba P.S. Case No.119 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 08.07.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that, as per the prosecution story, 75 liters of country made liquor was recovered from a motorcycle on which the petitioner was riding.

Learned counsel submits that petitioner is innocent



and has been falsely implicated in this case. Learned counsel submits that nothing incriminating was recovered from the conscious possession of the petitioner and the motorcycle from which the recovery was made does not belong to this petitioner. It is submitted that the petitioner is in custody since 08.07.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that from the motorcycle in question 75 liters of country made liquor were recovered, however, the petitioner has remained in custody in connection with this case since 08.07.2021, he has otherwise no criminal antecedent prior to the present case and his presence may be secured in course of trial, therefore, this Court directs that the petitioner above named be released on bail on furnishing 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 Sessions Judge-II-cum-Special Judge, Excise, Aurangabad in connection with Kutumba P.S. Case No.119 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)**

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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'.

