

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57500 of 2021

Arising Out of PS. Case No.-170 Year-2021 Thana- BAUNSI District- Banka

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ANKIT KUMAR SON OF LATE BHARAT BHUSHAN THAKUR Resident
of Village - Baini, Chakla Waini, P.s.- Waini O.P., Distt.- Smastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 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 Special Case

No. 578 of 2021 arising out of Bounsi P.S. Case No. 170 of

2021 registered for the offences punishable under Sections

30(a), 32(2), 34 of Bihar Prohibition and Excise Amendment

Act, 2018.

There is recovery of 2326.32 litres of illicit liquor

from a truck.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from one truck in question. He further submits that petitioner is driver of the seized truck in question. He further submits that co-accused Md. Irfan has been granted bail by a co-ordinate Bench of this court vide order dated 24.01.2022 passed in Cr. Misc. No. 55322 of 2021. Petitioner is in custody since 06.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

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, Banka in connection with Special Case No. 578 of 2021 arising out of Bounsi P.S. Case No. 170 of 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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