

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56587 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- SAHIYARA District- Sitamarhi

RAM SAFAL SINGH @ RAM SUFAL SINGH, Son Of Pashuram Singh
Resident of Village- Satmachcha, Ward No.04, Bhasar, P.S.- Sitamarhi,
District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

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 Sahiyara P.S.
Case No. 87 of 2021, registered for the offences punishable
under Section 414 of the Indian Penal Code and Section 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

According to prosecution case, on secret information
while vehicle checking, a total quantity of 852 litres of Nepali
Saufi wine was recovered from the vehicle.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner and the recovery has been made from one motorcycle in question. Learned counsel for the petitioner further submits that the petitioner has no concern with the motorcycle. He further submits that the police after investigation submitted the chargesheet against the petitioner and the co-accused namely, Ranjeet Kumar, has been granted bail by order dated 27.01.2022 passed in Cr. Misc. 56030 of 2021 and the petitioner is in custody since 09.07.2021.

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 District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi, in connection with Sahiyara P.S. Case No. 87 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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