

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57795 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- PATNA GRP CASE District- Patna

Satyam Kumar Son of Dhirendra Prasad @ Dhirendra Prasad Mehta Resident of Village- Romi, P.S.- Padma, District- Hazaribagh (Jharkhand), At present- Resident of Mohalla- Gauriyamath Mandir, P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 66.240 litres of foreign liquor.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that a bag containing 66.240 litres of foreign liquor was recovered from



the possession of the petitioner. He further submits that in fact nothing was recovered from the conscious possession of the petitioner rather the recovery was in abandoned condition and police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Rail Patna P.S. Case No. 160 of 2021, 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 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 witness, 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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