

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56648 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- JANDAHA District- Vaishali

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BECHAN SINGH S/O- Ram Lobhit Singh R/o- Javaj, P.S. - Mahnar, District
- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 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 through video conferencing.

The petitioner seeks bail in connection with
Jandaha P.S. Case No. 110 of 2021 registered for the offence
under Sections 414 of the Indian Penal Code and Section
30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise
Act.

Recovery is of 5341.470 liters of English wine.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the five vehicles and the petitioner is said to be owner of one of the vehicles (Pick up van) bearing registration No. BR-31G-9811. He further submits that the driver of the said vehicle has loaded the illicit liquor without consent of the petitioner. The petitioner has no concern with the alleged recovery of illicit liquor. The petitioner is rotting in judicial custody since 28.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-II- cum- Special Judge, Excise, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 110 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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