

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57437 of 2021

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

SURESH SINGH Son of - Late Dharmalal Singh Resident of Village- Lodipur
(Rupshipur Joj), P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.APP.

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 Jandaha P.S.
Case No. 110 of 2021 registered for the offences punishable
under Sections 414 of the IPC and Sections 30(a), 38(1)/ 41(1)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

There is recovery of 5341.470 litres of illicit foreign
liquor from different vehicles.

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 it appears from the FIR as well as seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from truck and pickup van in question. He further submits that said pickup van was purchased by the petitioner for his livelihood and the petitioner has no knowledge about the seized liquor. Petitioner is in custody since 28.06.2021.

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-2nd cum Excise Court, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 110 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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