

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59802 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- KATRA District- Muzaffarpur

DANISHUR RAHMAN @ MD. DANISH Son of Md. Noor Aslam @ Md. Laddu Babu Resident of Village - Katai, Police Station - Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Yadav

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2022 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 Katra P.S. Case No. 17 of 2021 registered for the offences punishable under Sections 272, 273 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act.

There is recovery of 156.240 litres of illicit foreign liquor.

Learned counsel for the petitioner submits that



petitioner has committed no offence and he has falsely been implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner rather recovery has been made from bamboo hut of one Ajay Jha. He further submits that co-accused Hariyodh Das @ Hariodh Das has been granted bail by a co-ordinate Bench of this court vide order dated 20.12.2021 passed in Cr. Misc. No. 49607 of 2021 and petitioner is in custody since 19.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

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 Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 17 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)

shahzad/-

U		T	
---	--	---	--

