

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60517 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- SIRDALA District- Nawada

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Kunal Singh Son of Ashok Singh Resident of Village- Narhat, P.S.- Narhat,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-02-2022 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 Sirdala P.S.

Case No. 134 of 2021 registered for the offences punishable

under Sections 30(a), 41 of the Bihar Prohibition and Excise

Act, 2016.

According to prosecution case, total 100 liters Mahua

liquor has been recovered from the Tempo.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence and he has



falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired only on the basis of disclosure made by co-accused Sunil Chaudhary. He further submits that nothing has been recovered from conscious possession of the petitioner, rather the recovery has been made from the one Tempo in question and the tempo in question does not belong to the petitioner. The petitioner is in custody since 06.08.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that petitioner carries three criminal antecedents.

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 A.D.J.-II-cum-Special Judge, Nawada in connection with Sirdala P.S. Case No. 134 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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