

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62545 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- TISIAUTA District- Vaishali

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RAM ADHAR RAI Son of Harendra Rai @ Harindra Ray Resident of Village
- Laxmi Narayanpur, P.S.- Tisiauta, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-03-2022 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.

The petitioner seeks bail in connection with Tisiauta P.S. Case No.108 of 2020, registered for the offence under Section 414 of IPC and 30 (a), (b) and (c) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 3128.14 liters wine is recovered.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that on the secret information, the



petitioner was arrested by the police. He further submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the Truck and Vehicle in question. He further submits that co-accused, namely, Sonu Kumar Singh @ Rajdep @ Rajdeep Kumar Singh @ Rajdip Kumar has been granted privilege of anticipatory bail vide order dated 20.07.2021 in Cr. Misc. No. 5941 of 2021 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 29.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Tisiauta P.S. Case No.108 of 2020 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 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.

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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