

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52238 of 2022

Arising Out of PS. Case No.-428 Year-2022 Thana- LAKHISARAI District- Lakhisarai

SURAJ VERMA @ SURAJ KUMAR VERMA S/O LATE RAJENDRA PRASAD VERMA @ RAJO VERMA RESIDENT OF VILLAGE- SANSAR POKHAR, GANDHI TOLA, WARD NO.-17, P.S.- KABAIYA, DIST.- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Kumar Maharaj

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with Lakhisarai(Kabaiya) P.S. Case No. 428 of 2022 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery of 68.100 litre of English wine from the place of occurrence. Informant claims that he knows the person who fled away from the spot and his name is Suraj Verma (petitioner) as earlier petitioner was also an accused in excise case.



Learned counsel for the petitioner submits that petitioner is in custody since 28.06.2022 and bears criminal antecedent of three cases of similar nature. He further submits that petitioner has been implicated in the case on the basis of suspicion and previous criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is not apprehended on spot.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is not apprehended on spot, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional District and Sessions Judge IV-cum-Spl Judge Excise Act 1st, Lakhisarai in connection with Lakhisarai(Kabaiya) P.S. Case No. 428 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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

