

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61955 of 2021**

Arising Out of PS. Case No.-164 Year-2021 Thana- RAGHUNATHPUR District- Siwan

Dablu Bind @ Dablu Bin S/O Swami Nath Bind @ Swaminath Kashyap R/O
Village-Kakar Ghatta Khas, P.S-Maniyar, District-Ballia (U.P).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshay Lal Pandit, Adv

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**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 Raghunathpur P.S. Case No.164 of 2021, registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

315 liters of Mahua wine was recovered from the bank of Sarjug river.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears



from the FIR as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the bank of Sarjug river. He further submits that the petitioner was arrested only on the basis of the suspicion and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Additional District Judge-II-cum-Special Judge, Excise, Siwan in connection with Raghunathpur P.S. Case No.164 of 2021 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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