

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61968 of 2021

Arising Out of PS. Case No.-295 Year-2021 Thana- BEUR District- Patna

SHIVENDRA KUMAR Son of Late Ramkeshar Prasad Resident of Village -
Vijavar, P.O.- Aukuana, P.S.- Dhanarua, District - Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Deep Shikha, Advocate.

For the State : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 03-02-2022 The applicant is given out of turn hearing because of
marriage of his sister scheduled from 11.02.2022.

The applicant is an accused in Crime No.295 of 2021
(Special Case No.4153 of 2021) registered with Police Station-
Beur for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel appearing for the applicant submits
that the applicant is falsely implicated in the subject crime. He
is not having any criminal antecedents. Charge-sheet has been
filed.

The learned A.P.P. opposed the application by
submitting that 10 liters of illicit mahua liquor came to be seized
from the motorcycle in possession of the applicant.

I have considered the submissions so advanced.



The investigation is over. Charge-sheet has been filed. The applicant is undergoing pretrial detention from 09.07.2021. He is reportedly not having any criminal antecedents. Hence, I see no reason to refuse bail to him. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.295 of 2021 (Special Case No.4153 of 2021) registered with Police Station-Beur for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.



(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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