

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63151 of 2021**

Arising Out of PS. Case No.-132 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

=====

Lal Mohan Kumar S/o- Satya Narayan Chaudhary Resident of Vill - Harani
Chak, Mahalitola, P.S. - Phulwari, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-03-2022 Heard learned counsel for the petitioner as well as

learned APP for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

The petitioner seeks bail in connection with Official
Case No.132(O) of 2021 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition & Excise
(Amendment) Act, 2018.

The prosecution case in short is that total 99 liters of
English liquor has been recovered from a Tata pick-up van
bearing registration no. BR01-GE-0852.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has no criminal antecedent and has



falsely been implicated in the present case. He further submits that petitioner is driver of the pick-up van in question and nothing has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the pick-up van. Learned counsel for the petitioner further submits that charge sheet has been submitted against the petitioner and is in custody since 01.08.2021.

Learned Additional Public Prosecutor appearing on behalf of the State has opposes the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ind-cum-Special Judge, Excise, Buxar in connection with Official Case No.132(O) 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 steps 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)

Prakash Narayan /-

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

