

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62997 of 2021**

Arising Out of PS. Case No.-6 Year-2021 Thana- JAYRAMPUR District-
Sheikhpura

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Piyush Kumar Son of Sanjeev Kumar Resident of Village- Maur, P.S.-
Barbigha in the district of Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the State : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-04-2022 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 learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

Recovery is of 3752.64 litres of foreign liquor.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. He
further submits that it appears from the F.I.R. as well as seizure
list nothing has been recovered from the conscious possession



of the petitioner rather recovery has been made from the truck in question. He further submits that neither the petitioner is owner of the truck nor the driver of the truck and recovered motorcycle also does not belong to the petitioner and police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Excise Case No. 115 of 2021 arising out of Jairampur P.S. Case No. 06 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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