

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66736 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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ABHIJIT SINGH S/o Uday Shankar Singh Resident of House No. 105,
Tapeswar Nagar, B.V. College, P.S.- Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanchay Srivastava, Adv.
	:	Mr.Sourav Suman, Adv.
	:	Mr.Arpit Anand, Adv.
	:	Mr.Aalekh Anand, Adv.
	:	Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Mohammed Arif,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-03-2022 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 Marhaura Sub-Division (Prohibition) P.S.Case No.355 of 2021, Excise Case No.206 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of total 345.600 liters of illicit liquor.

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 nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from one Tata Sumo. He further submits that co-accused, namely, Ravi Nandan Ojha has been granted bail vide order dated 07.03.2022 in Cr. Misc. No.65656 of 2021 by this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons and the petitioner is in custody since 03.10.2021.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Marhaura Sub-Division (Prohibition) P.S.Case No.355 of 2021, Excise Case No.206 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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