

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65958 of 2021

Arising Out of PS. Case No.-155 Year-2021 Thana- NAVINAGAR District- Aurangabad

Rakesh Kumar Singh, S/O Late Krishan Singh Resident Of Village- Barem,
P.S.- Barem O.P. District- Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Singh, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

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.

The petitioner seeks bail in connection with Navinagar (Barem) P.S. Case No. 155 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Recovery is of 158.10 liters of illicit liquor is made near Khapia More from a tractor coming from NTPC Khaira Road.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. In fact, the petitioner is the owner of the tractor in question and nothing has been recovered from the conscious possession of the petitioner rather the recovery is made from the tractor. The petitioner is rotting in judicial custody since 21.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submitted that petitioner has one criminal antecedent in which he is on bail.

Considering the facts and circumstances of the case, let the above named, petitioner 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 Special Judge, Aurangabad in connection with Navinagar (Barem O.P.) P.S. Case No. 155 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 canceled by the Court below.

(2) If the petitioner tamper 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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