

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66014 of 2021**

Arising Out of PS. Case No.-353 Year-2021 Thana- ARWAL District- Jehanabad

=====

ALOK KUMAR VERMA, S/o Pawan Kumar Verma R/o village- Bhagatdih,
P.S.- Jhariya, District- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, 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 Excise Case No. 899 of 2021 arising out of Arwal P.S. Case No. 353 of 2021 registered for the offence under Sections 30(a), 32(2),(3) and 36/41 of the Bihar Prohibition and Excise Act.

Recovery is of 905 liters of illicit liquor of different brands is made from a Tata Intra Magic vehicle bearing registration number JH-21J-5915, which is followed by the petitioner and other accused persons.

Learned counsel appearing for the petitioner submits



that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from one Tata Intra Magic. He further submits that the petitioner is apprehended in another car (Hundai Creta) and nothing has been recovered from the car. He further submits that the petitioner's name transpires on disclosure of the driver of the Tata Intra Magic namely Phiroj Ahmed. The petitioner is rotting in judicial custody since 08.10.2021.

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, 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 Additional Sessions Judge II-cum-Special Judge (Excise), Jehanabad in connection with Excise Case No. 899 of 2021 arising out of Arwal P.S. Case No. 353 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 canceled 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)

khushbu/-

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

