

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65969 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- KUMAR KHAND District- Madhepura

Pintoo Kumar @PINTU Kumar, Son Of Mohan Yadav Resident Of Village-
Karuali, Ward No 15, P.S- Kumarkhand, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, 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 Kumarkhand P.S. Case No. 127 of 2020 arising out of Excise Case No. 332 of 2020 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 423 liters of illicit liquor is made from a toilet located in the backyard of the house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case who has clean antecedent. In fact, nothing has been



recovered from the conscious possession of the petitioners rather the alleged recovery has been made from the toilet situated at the backyard of the house of the petitioner. He further submits that the petitioner has no concern with the alleged recovery. He further submits that the police after investigation submitted chargesheet against the petitioner and other accused persons. The petitioner is rotting in judicial custody since 01.09.2021.

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 Additioanal Sessions Judge-II, Madhepura in connection with Kumarkhand P.S. Case No. 127 of 2020 corresponding to Excise Case No. 332 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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