

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66203 of 2021**

Arising Out of PS. Case No.-134 Year-2021 Thana- SAHAJITPUR District- Saran

HEMANT SINGH @ HEMANT KUMAR S/O YAMUNA SINGH R/o
village- Marich, P.S.- Sahajitpur, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 14-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

The present matter has been taken up out of turn on
the basis of motion slip filed by learned counsel for the
petitioner on the ground that father of the petitioner died on
06.02.2022 and sharadh ceremony is scheduled to be held on
19.02.2022.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Sahajitpur P.S.
Case No. 134 of 2021 registered for the offences punishable
under Sections 30, 30(a) of Bihar Prohibition and Excise Act,



2016.

There is recovery of 60 litres of illicit spirit from the bush.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the FIR and seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the bush near the old house of Ram Ekbal Manjhi. Petitioner is in custody since 15.09.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, 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 the learned IIInd Additional Sessions Judge cum Special Judge, Excise, Saran at Chapra in connection with Sahajitpur P.S. Case No. 134 of 2021, subject to 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 witnesses, 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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