

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66808 of 2021**

Arising Out of PS. Case No.-377 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

MD. KARIM S/o Kalim R/o Village- Pirganj, Ward No. 1, Tharbitia, P.S.-
Kishanpur, District- Supaul, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Adv

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**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 Kuchaikote P.S.Case No.377 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of total 46.500 liters of English wine.

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.



In fact the petitioner is Conductor of the Bus in question. He further submits that it appears from the FIR as well as seizure list that 46.500 liters of English Wine has been recovered from the Dickey of the Bus. He further submits that the petitioner has falsely been implicated in the present case only on the basis of the suspicion. He further submits that co-accused, namely, Ravindra Yadav has been granted bail vide order dated 07.03.2022 in Cr. Misc. No.65647 of 2021 by this Hon'ble Court and the petitioner is in custody since 06.09.2021.

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 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 Additional District and Sessions Judge-II, Gopalganj in connection with Kuchaikote P.S.Case No.377 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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