

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70106 of 2021

Arising Out of PS. Case No.-284 Year-2021 Thana- LALGANJ District- Vaishali

BIPIN KUMAR Son of Hari Shankar Singh Resident of Village- Ghataro
Gashing Tola, P.S.- Kartahan, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv

For the Opposite Party/s : Ms.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2022 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 in virtual Court proceeding.

The petitioner seeks bail in connection with Lalganj P.S.Case No.284 of 2021, registered for the offence under Sections 414 and 34 of IPC and Sections 30(a),36,41 of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 5727.24 liters of Indian made foreign liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing



has been recovered from the conscious possession of the petitioner rather the recovery has been made from the Truck and Car in question. He further submits that the petitioner is neither the owner nor the driver of the Swift Dzire Car or the Truck. He further submits that the police, after investigation, submitted chargesheet against the petitioner. He further submits that co-accused, namely, Deepak Kumar has been granted bail by this Hon'ble Court vide order dated 08.03.2022 in Cr. Misc. No.66625 of 2021 and the petitioner is in custody since 08.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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 Sessions Judge-cum-Excise Court, Vaishali at Hajipur in connection with Lalganj P.S.Case No.284 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.

Nitesh/-

(Rajesh Kumar Verma, J)

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