

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70037 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- TEGHRHA District- Begusarai

KRISHANA SINGH @ DHANNA Son of Arjun Singh Resident of Village
Madurapur Bichla Tola, P.S. Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Veena Rani Prasad, 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 Teghra P.S.Case No.240 of 2020, registered for the offence under Section 120(B) of IPC and Sections 30(a),40(1)(2) of the Bihar Prohibition and Excise Act, 2018.

Recovery is of 881.28 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 it appears from the FIR that the recovery has been made from the



field of co-accused, namely, Ram Pravesh Singh. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the name of the petitioner has transpired only on the basis of disclosure made by the Chaukidar. He further submits that co-accused, namely, Ramsharan Singh has been granted privilege of anticipatory bail vide order dated 03.05.2021 in Cr.Misc. No.39150 of 2020 and another co-accused, namely, Amarjeet Singh has also been granted privilege of anticipatory bail vide order dated 26.10.2021 in Cr. Misc. No.627 of 2021 by different Coordinate Benches of this Hon'ble Court and co-accused, namely, Govind Kumar @ Govind Singh has been granted bail vide order dated 10.03.2022 in Cr. Misc. No.46056 of 2021 by this Hon'ble Court and the petitioner is in custody since 09.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases 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-II-cum-Special Judge(Excise Act), Begusarai in connection with Teghra P.S.Case No.240 of 2020 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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