

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72061 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- RISIYAP District- Aurangabad

BIKAR SINGH Son of Mejar Singh Resident of Village - Pent Padari, P.S.-
Makhu, Distt.- Firozpur, State - Punjab

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

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 Risiup P.S.
Case No. 55/ 2021 registered for the offences punishable under
Sections 467, 468, 471, 120B of the IPC and Sections 30(a), 36,
41(i) of the Bihar Prohibition and Excise Amendment Act, 2018.

There is recovery of 5273.280 litres of illicit IMFL
from the truck.

Learned counsel for the petitioner submits that
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 nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the truck in question and the petitioner is driver of the said truck. He further submits that co-accused Ajit Vishwakarma, co-helper of the truck, has been granted bail by a co-ordinate Bench of this court vide order dated 06.12.2021 passed in Cr. Misc. No. 55177 of 2021 and the police after investigation submitted charge sheet against the petitioner and other accused person. Petitioner is in custody since 26.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries two criminal antecedent.

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 Additional Sessions Judge-II cum Special Judge, Excise, Aurangabad in connection with Risiup P.S. Case No. 55/ 2021, subject to the following conditions:-

1. One of the bailors shall be the resident of territorial jurisdiction of the court below.
2. 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.

3. 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.

4. 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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