

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71796 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- PARASI District- Jehanabad

Pappu Kumar Son Of Rampukar Mistri Resident Of Village- Mehandia Bajar
P.S.Mehandia District- Arwal.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, A.P.P.

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.

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 Excise Case NO. 828 of 2021 arising out of Parasi P.S. Case No. 57 of 2021 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

Recovery is of 65 liters country made liquor.

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 nothing has been recovered from conscious



possession of the petitioner, rather the recovery has been made from the one Bag in question. He further submits that the seizure list was not prepared in accordance with Section 100 of the Cr.P.C. He further submits that after investigation police has submitted the charge sheet against the petitioner. The petitioner is in custody since 20.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Jehanabad in connection with Excise Case No. 828 of 2021 arising out of Parasi P.S. Case No. 57 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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