

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72073 of 2021

Arising Out of PS. Case No.-77 Year-2021 Thana- ANGARGHAT District- Samastipur

BIPIN KUMAR Son of Jai Lal Ray Resident of Village - Dadhiya Ashadhar,
Police Station - Angarghat, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

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 Angarghat P.S.
Case No. 77/ 2021 registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is recovery of 24.765 litres of illicit IMFL from
toilet room of the petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the FIR as well as seizure list that 24.765 litres of IMFL was recovered from toilet room of joint house of the petitioner. He further submits that petitioner has no knowledge about the illicit liquor which was kept in the toilet room. He further submits that in this case, there is no compliance of Section 100 of the Cr.P.C. and the police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 21.09.2021.

The learned Additional Public Prosecutor opposed the prayer of 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-IIInd cum Special Judge, Excise Act, Samastipur in connection with Angarghat P.S. Case No. 77/ 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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