

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- NAUGACHIA District- Bhagalpur

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GHUTARNA @ SIDHARTHA, S/o Late Bhagwat Rishidev, R/o village-
Noniapatti, P.S.- Naugachia, Distt.- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Naugachia P.S. Case No. 79 of 2021 registered

for the offences punishable under Section 30(a)/32 of Bihar
Prohibition and Excise Amendment Act, 2018. He is in custody
since 01.06.2021. The petitioner has got two criminal
antecedents.

Learned counsel for the petitioner submits that as per

the prosecution story, on 22.02.2021 at 15.30 hours, the S.I. of

Police, Naugachia Police Station on secret information raided



the house of the petitioner and on search, Police recovered 30 litres of illicit liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 01.06.2021.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody in connection with this case since 01.06.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Bhagalpur in connection with Naugachia P.S. Case No. 79 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

