

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46 of 2022

Arising Out of PS. Case No.-377 Year-2021 Thana- GOGRI District- Khagaria

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BIPIN KUMAR SINGH @ BIPIN KUMAR Son of Vanarasi Singh Resident
of Khoura Gandhi Nagar, P.S.- Pasraha, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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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 learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Gogri P.S. Case No. 377 of 2021 registered

for the offences punishable under Section 30(a) of Bihar

Prohibition & Excise Act. He is in custody since 31.10.2021

having no criminal antecedent as stated in paragraph '3' of the

application.

Learned counsel for the petitioner submits that the

informant while on night patrolling duty got secret information

with respect to bringing a consignment of liquor in a silver car

by the FIR named accused persons at the house of accused Md.



Majahar Ali. The informant reached at the given place where on seeing the police four persons present there managed to escape and the informant recovered 82.125 liters liquor from the Honda City Car bearing registration no. DL7CF-1608 and also recovered a motorcycle bearing no. BR34B-4936 parked there.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. It is submitted that the implication of the petitioner is only based on secret information and there is no proper identification of the petitioner. It is further submitted that nothing has been recovered from conscious possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner has not been arrested on the spot, he has remained in custody in connection with this case since 31.10.2021 having no criminal antecedent, investigation against him is complete and his presence may be secured in course of trial, therefore, this court directs release of the petitioner above named 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 Special Judge (Excise), Khagaria in



connection with Gogri P.S. Case No. 377 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 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.

The application stands disposed of.

(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'.

