

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.332 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- KHANPURA District- Samastipur

Arun Kumar Ram, S/O Sohindra Ram, R/o village- Masina, Ward No. 3, P.S.-
Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Khanpur P.S. Case No.223 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 25.09.2021. The petitioner has got one criminal antecedent of similar nature in which he is said to be on bail.

Learned counsel for the petitioner submits that, as per the prosecution story, 9 liters of illicit liquor has been recovered from the motorcycle of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 25.09.2021.

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

Having regard to the submission that 9 liters of illicit liquor has been recovered from the motorcycle of the petitioner, petitioner has got one criminal antecedent of similar nature in which he is said to be on bail, he is in custody since 25.09.2021, investigation against him is complete and his presence may also be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Khanpur P.S. Case No.223 of 2021, subject to the conditions 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.

(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'.

