

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.898 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- JAMHOR District- Aurangabad

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BIPIN KUMAR @ BIPIN KUMAR YADAV Son of Baleshwar Singh
Resident of Village - Jhauri Bigha, Police Station - Daudnagar, District -
Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the

offence under Sections 30(a) of the Bihar Prohibition and Excise

Act.

Recovery is of 352 liters of country made liquor.

Learned counsel appearing for the petitioner submits

that the petitioner, who is of clean antecedent, is innocent and

has falsely been implicated in this case. He further submits that in

fact, nothing has been recovered from the conscious possession

of the petitioner rather the alleged recovery has been made from



the Bolero vehicle. He further submits that neither the petitioner happens to be owner of the said vehicle nor he happens to be driver of the vehicle in question. He has no concern with the alleged recovery. The petitioner is rotting in judicial custody since 06.11.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Jamhore P.S. Case No. 170 of 2021 (G.R. No. 1547 of 2021) with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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