

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1750 of 2022

Arising Out of PS. Case No.-321 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

GAUTAM KUMAR Son of Basudeo Mahto Resident of Village- Karkat, P.S.-
Chanho, District- Ranchi (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Satya Veer, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, 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 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 Excise Case No. 321 of 2021 registered for

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

Prohibition and Excise Act, 2016. He is in custody since

18.11.2021 having no criminal antecedent as stated in paragraph

‘3’ of the application.

As per the prosecution story, while the informant got

confidential information he started checking of the vehicles and

intercepted one Maruti Car and on search total 180 liters of



foreign liquor were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that nothing incriminating article has been recovered from the possession of the petitioner, however he is in custody since 18.11.2021.

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

Having regard to the submission that petitioner has no criminal antecedent, he has remained in custody in connection with this case since 18.11.2021, 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 Additional Sessions Judge – II – cum – Special Judge, Excise Act, Gaya in connection with Excise Case No. 321 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

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'.

