

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2915 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- KHODAWANDPUR District- Begusarai

RAJ KUMAR SINGH S/O SHYAM SUNDAR SINGH Resident of Village-
Ibrahimpur, P.S.- Khodawandpur (Chhaurhi O.P.), District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd. (APP)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30 (a) of Bihar Prohibition
and Excise Amendment Act, 2018.

The recovery is of 39.240 of illicit foreign liquor.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. and the seizure list that nothing has been
recovered from the conscious possession of the petitioner rather
the recovery has been made from the joint house property of the
petitioner. He further submits that the petitioner has no concern
at all with the alleged recovery of illicit liquor. There is non-



compliance of Section 100 of the Cr.P.C. The police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.11.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Khodawandpur P.S. Case No. 339/2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

amit/-

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

