

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2883 of 2023

Arising Out of PS. Case No.-327 Year-2022 Thana- MAJORGANJ District- Sitamarhi

Sudhir Kumar Son of Late Satynarayan Singh Resident of Village- Sekhona,
P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
APP for the State in virtual court proceeding.

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

Recovery is of 333 litres of *Nepali Saufi* liquor.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the place of occurrence and the petitioner has no concern with the alleged recovery of illicit liquor. He further submits that the



petitioner has been falsely implicated by the SSB personnel and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.10.2022.

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

Considering the facts and circumstances of the case, nothing has been recovered from the conscious possession of the petitioner and the petitioner having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Majorganj P.S. Case No. 327 of 2022, 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 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 witness, 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 antecedents, 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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