

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13869 of 2023**

Arising Out of PS. Case No.-750 Year-2020 Thana- KANTI District- Muzaffarpur

Bindu Singh @ Bindu Fauji @ Fauji Son Of Basti Ram R/O Dinod 26 @  
Binod (26), P.S.- Sadar Bhiwani, District- Bhiwani (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-05-2023                      Learned counsel for the petitioner is permitted to  
correct in paragraph-8 of the bail petition during course of the  
day.

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

Petitioner seeks bail, who is in custody since  
03.01.2023, in connection with Kanti P.S. Case No. 750 of  
2020, F.I.R. dated 22.12.2020 registered for the offences  
punishable under Sections 420, 467, 468, 471, 34 of the Indian  
Penal Code and Section 30(a) of Bihar Prohibition and Excise  
Act, 2016-18.

Recovery is of 2516.400 litres of *foreign* liquor.

Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in the  
present case on the basis of the disclosure made by co-accused



persons who is driver and cleaner of the truck in question. 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 truck in question and the petitioner has no concern at all with the alleged recovery of illicit liquor and except the disclosure made by co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 03.01.2023.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, nothing has been recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery of illicit liquor, 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 Special Judge (Excise) Court No. II,



Muzaffarpur in connection with Kanti P.S. Case No. 750 of 2020, 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 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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