

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15705 of 2023

Arising Out of PS. Case No.-214 Year-2021 Thana- GANGABRIDGE District- Vaishali

PUNIT RAI S/o Late Jamun Rai R/o Village- Madarpur, P.S.- Ganga Bridge,
Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Ganga
bridge P.S. Case No. 214 of 2021 dated 23.09.2021 registered
for the offence under Sections 30(a), 32(3), 36 and 56 of the
Bihar Prohibition and Excise Act..

Recovery is of 967.425 liters of foreign 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. She
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 alleged



recovery has been made from the house of the petitioner. She further submits that it has come during investigation that the recovered liquor belong to co-accused, Uday Kumar and Utpal Kumar. She further contends that the petitioner has no concern at all with the alleged recovery and the co-accused. He further contends that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 24.01.2023.

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 Exclusive Special Excise Court No.1 -cum- Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 214 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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