

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46332 of 2023

Arising Out of PS. Case No.-448 Year-2023 Thana- GARDANIBAG District- Patna

Bikki Kumar Verma @ Golu S/O Dilip Kumar Verma R/O Village- Sardali
Chak, Ps. Gopalpur, Dist. Patna

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 448 of 2023, Spl. Case No.
4970/2023 registered for the offence under Sections 30(a) and
36 of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and
is in custody since 13.06.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 65.7 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was not apprehended on spot
and out of tenancy dispute, he was falsely implicated with



present case on the instance of the owner of the premises, where petitioner was a tenant. It is further submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as alleged illicit liquor not appears to be recovered from conscious physical possession of this petitioner, who is in custody since 13.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Gardanibagh P.S. Case No. 448 of 2023, Spl. Case No. 4970/2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C., with further conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the trial Court itself for the



cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the trial Court till conclusion of the trial and exemption from physical appearance be allowed by the trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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