

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52939 of 2023

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

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TIRLOKI PRASAD SON OF ROOP LAL MAHTO RESIDENT OF
VILLAGE - DHARHARA, P.O. - JHURJHURI, P.S. - BARKATTHA,
DISTRICT - HAZARIBAGH, JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

- 2 24-08-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Nawada (Town) P.S. Case No. 602 of 2020 dated 10.07.2020 registered for the offences punishable u/ss 30(a), 30(d), 30(f), 33, 41 and 52 of the Bihar Prohibition and Excise Act, 2016.
 4. As per the prosecution case, 5000 litres of spirit was recovered from the truck.
 5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner is not the owner of the vehicle. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Kartik Kumar. The petitioner is accused in twenty other criminal cases out of which he is on bail in 11 cases as stated in para 3 of the bail petition. The co-accused person has already been granted bail by the coordinate Bench of this Court vide order dated 18.08.2022 passed in Cr. Misc. No. 38238 of 2022. The petitioner is in custody since 22.12.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nawada (Town) P.S. Case No. 602 of 2020 with the condition:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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