

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57736 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- MADANPUR District- Aurangabad

Satyendra Das @ Satyendra Kumar @ Satyendra Son of Mundar Das R/V-
Badhaul , P.S- Amas, Dist- Gaya Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 279, 188 and 427 of the Indian Penal Code and Sections 30(a) and 33 of the Bihar Prohibition and Excise (Amendment) Act (2018).

Recovery is of 525 litres of spirit.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the recovery has been made from vehicle in question and not from petitioner's possession. He further submits that the name of the petitioner has been transpired on the basis of the confessional statement made by the co-accused persons. He further submits that the petitioner is in custody



since 19.05.2022.

Learned APP for the State has 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 the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused persons, 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 Madanpur P.S. Case No. 28 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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