

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58003 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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PRINCE KUMAR Son of Gopal Rajak Resident of Village-Kaler Bazar, P.S.-
Kaler, District-Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.06.2023 in connection with Arwal Excise P.S. Case No. 224
of 2023, F.I.R. dated 20.06.2023 registered for the offence
punishable under Sections 30a/32c of Bihar Prohibition and
Excise (Amendment) Act.

3. Recovery is of 60 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits that
from a bare perusal of FIR as well as the seizure list that
altogether 60 liters of country made liquor has been recovered



from the Tempo in question and the petitioner is neither the driver nor the owner of the Tempo in question and the petitioner was simply a passenger and he was arrested alongwith the illicit liquor and he has no concern at all with the alleged recovery of illicit liquor and the petitioner is in custody since 21.06.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, let the petitioner, above named, 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 Special Excise Court No.-II, Jehanabad in connection with Arwal Excise P.S. Case No. 224 of 2023, with the following conditions:-

(I) 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 cancelled by the Court below.

(II) 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.



(III) 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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