

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58667 of 2022

Arising Out of PS. Case No.-208 Year-2019 Thana- DAWATH District- Rohtas

=====

Arun Kumar @ Arun Kumar Singh Hit Narayan Rai R/O Village- Itwa, P.S.-
Dawath, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Singh, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

Recovery is of total 4112.64 liters of illicit liquor.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
recovery has been made from the vehicle in question and not
from petitioner's possession. He further submits that petitioner
has no concern at all with the alleged recovery of illicit liquor or
the vehicle in question. He further submits that the name of the
petitioner has been transpired on the basis that the petitioner is



the owner of vehicle in question. He further submits that in fact the petitioner was sold out the said vehicle to Santosh Yadav vide sale agreement dated 31.05.2019. The petitioner is in custody since 19.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, petitioner has clean antecedent and nothing has been recovered from the conscious possession of the petitioner and name of the petitioner has been transpired on the basis of that petitioner is the owner of the vehicle in question, 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 the learned Court below where the case is pending in connection with Dawath P.S. Case No. 208 of 2019, subject to 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 witnesses, 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 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)

mdrashid/-

U		T	
---	--	---	--

