

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62175 of 2023

Arising Out of PS. Case No.-462 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Sandip Son Of Satvir R/o Village Uklana Gaon House No 12, Ward No 12
P.S. Uklana Mandi District Hisar, HARIYANA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mrs.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-09-2023 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
02.06.2023 in connection with Trial No.655 of 2023 arising out
of Aurangabad Excise Case No. 462 of 2023, F.I.R. dated
01.06.2023 registered for the offence punishable under Section
30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 5365.800 liters of foreign 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 the FIR as well as the seizure list that
nothing has been recovered from conscious possession of the



petitioner rather the recovery has been made from the truck in question and the petitioner has no concern at all with the alleged recovery of illicit liquor and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.06.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, nothing has been recovered from conscious possession of the petitioner, having clean antecedent, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-II, Excise, Aurangabad in connection with Trial No.655 of 2023 arising out of Aurangabad Excise Case No. 462 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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