

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57350 of 2022

Arising Out of PS. Case No.-187 Year-2020 Thana- TILAUTHU District- Rohtas

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GOLU SAW @ GOLU KUMAR Son of Late Anil Saw @ Late Anil Sah
Resident of Village- Dhaudan, P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 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 Sections 30(a) of Bihar Prohibition and Excise Act.

According to prosecution case, on secret information, the police team arrived at Nimiyadih forest area and on seeing the police, two persons managed to run away from there. The local village chowkidar identified them as Bajrangi Rajwar and Golu Saw (petitioner). Thereafter the police recovered 502.90 liters of foreign liquor and accordingly the seizure memo was prepared.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case and nothing has been recovered from the conscious possession of the petitioner. He further submits that the recovery has been made from the forest area and the petitioner has no concern at all with the alleged recovery. The police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Tilauthu P.S. Case No. 187/2020, 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)

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