

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75021 of 2022

Arising Out of PS. Case No.-285 Year-2022 Thana- AMNAUR District- Saran

TARKESHWAR RAY Son of Late Jaleshwar Ray R/V- Manorpur, P.S-
Amnour, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-03-2023 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 and 30(a) of Bihar
Prohibition and Excise Act, 2018.

Recovery is of total 238 litres 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 nothing
has been recovered from the conscious possession of the
petitioner rather the recovery has been made from the house of
the petitioner. He further submits that the petitioner was not
present at the time of alleged recovery and petitioner has no
concern at all with the alleged recovery of the illicit liquor. He
further submits that there is non-compliance of Section 100 of



the Cr.P.C. and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.11.2022.

The learned Additional Public Prosecutor for the State 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, 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 Amnour P.S. Case No. 285 of 2022, 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)

Saurabhkrsinha/
Alok/-

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

