

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1771 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- SIKTA District- West Champaran

Abhishek Kumar @ Angad Kumar Son Of Shambhu Mahto R/O Vill.-
Ranipur, Ward No.- 03, P.S.- Kumarbag, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishabh Mishra, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
10.09.2022 in connection with Sikta P.S. Case No. 132 of
2022, F.I.R. dated 09.09.2022 registered for the offence
punishable under Sections 272,273 of IPC and Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

Recovery is of 41.4 liters of Nepali liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case mainly on the basis of suspicion.
Further submits that it appears from the FIR as well as the
seizure list that the recovery has been made from possession of
the petitioner and the police, after investigation, submitted



chargesheet against the petitioner and the petitioner is in custody since 10.09.2022.

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

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 Judge, Excise Act, Bettiah, West Champaran in connection with Sikta P.S. Case No. 132 of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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