

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.228 of 2023

Arising Out of PS. Case No.-178 Year-2021 Thana- BUDDHACOLONY District- Patna

Amit Kumar @ Balram, Son of Late Dilip Rai @ Dilip Kumar, Resident of
Mohalla- Chakaram near Kabristan (Devi Asthan) P.s- Budha colony Dist-
patna Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Nirmal Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner in this case has renewed his prayer for bail in connection with Special Case No. 3533 of 2021 arising out of Budha Colony P.S. Case No. 178 of 2021 registered for the offences punishable under Sections 30(a)/36/41 of the Bihar Prohibition and Excise Act, 2016. He has remained in custody since 11.06.2021 and has got seven criminal antecedents.

Learned counsel for the petitioner submits that this Court while rejecting the prayer for bail of the petitioner, had observed that if the trial remains unconcluded for no reason attributable to the petitioner within six months, the petitioner may renew his prayer for bail.

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

Having regard to the facts and circumstances of the case wherein this Court had earlier rejected the prayer for bail of the



petitioner in Cr. Misc. No. 70982 of 2021 with an observation that in case the trial is not concluded for no reason attributable to the petitioner within six months from the date of communication of the order, he may renew his prayer for bail, the statements made in paragraph '12' of the petition showing that the petitioner is in custody since 11.06.2021 and in all other cases, he is on bail, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Patna in connection with Special Case No. 3533 of 2021 arising out of Budha Colony P.S. Case No. 178 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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