

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3061 of 2023

Arising Out of PS. Case No.-462 Year-2022 Thana- BEUR District- Patna

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KULDEEP KUMAR @ CHOTU S/O LATE RADHE SHYAM THAKUR
Resident of - Chariya Bariyarpur, P.S.- Bariyarpur, Dist.- Begusarai, current
address, Adarsh Nagar Dasratha on rent house, P.S.- Beur, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Anand, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
14.09.2022 in connection with Beur P.S.Case No.462 of 2022,
F.I.R. dated 13.09.2022 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act 2018.

Recovery is of 93 liters of foreign liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Further submits that it appears from the FIR as well as the
seizure list that nothing has been recovered from possession of
the petitioner rather the recovery of illicit liquor has been made



from the Car in question and the petitioner is neither the driver nor the owner of the Car in question and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, nothing has been recovered from 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 learned Special Judge, Excise, Patna in connection with Beur P.S.Case No.462 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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