

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.911 of 2023

Arising Out of PS. Case No.-279 Year-2019 Thana- WARISLIGANJ District- Nawada

Karu Singh S/O Rampravesh Singh R/V- Kochgaon, P.S.- Warisaliganj,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
18.10.2022 in connection with Warisaliganj P.S. Case No. 279
of 2019, F.I.R. dated 28.08.2019 for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

Recovery is of 26.25 liters of foreign liquor.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case on the basis of secret information received by the
police. He further submits that it appears from the F.I.R. as well
as seizure list that nothing has been recovered from the
conscious possession or the house of the petitioner and it



appears from the F.I.R. as well as seizure list that the recovery has been made from the house of the co-accused namely, Pappu Singh and petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused person. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 18.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries four criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, nothing has been recovered from the conscious possession or the house of the petitioner let the petitioner and petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused person, 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 Exclusive Special Court-2, Nawada in connection with Warisaliganj P.S. Case No. 279 of 2019, 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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