

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67544 of 2024**

Arising Out of PS. Case No.-83 Year-2024 Thana- JADIA District- Supaul

Bablu Kumar Son of Umesh Sah R/o Tituwaha, Ward No. 12, P.S.-
Triveniganj, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 25-09-2024 Heard Mr. Sanjeev Verma, learned counsel for the

petitioner and Md. Mushtaque Alam, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.05.2024 in connection with ST Excise Case No. 517 of 2024
arising out of Jadia P.S. Case No. 83 of 2024, F.I.R. dated
26.05.2024 for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act.

3. Recovery is of 112.92 liters of foreign liquor.

4. 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 it appears
from the F.I.R. as well as seizure list that nothing has been
recovered from the conscious possession of the petitioner rather



the recovery has been made from the car in question. He further submits that the petitioner is neither the owner nor the driver of the said vehicle in question and owner of the vehicle is one Sanjay Kumar Sharma and the petitioner has no concern at all with the alleged recovery of the illicit liquor or the owner of the car in question. He further submits that the police has submitted the charge sheet on 16.07.2024 and the petitioner is in custody since 26.05.2024.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the 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 the learned Exclusive Special Judge No. 1, Excise, Supaul in connection with ST Excise Case No. 517 of 2024 arising out of Jadia P.S. Case No. 83 of 2024, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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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