

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72615 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- NAYA RAM NAGAR District- Munger

Santosh Sharma Son of Jagdish Sharma R/O- Village- Chouparan, Bela P.S.-
chouparan, Distt.- Hazaribagh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-10-2024 Heard Mr. Manish Kumar No. 2, learned Counsel for
the petitioner and Mr. Md. Iftekhar Mahmood, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody
since 16.06.2024, in connection with Naya Ramnagar P.S. Case
No. 83 of 2024, FIR dated 16.06.2024, registered for the
offences punishable under Sections 30(a) and 32 of the Bihar
Prohibition and Excise Amendment Act.

3. Recovery is of 756 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the case. He further
submits that it appears from the F.I.R. that 693 litres of foreign
liquor has been recovered from pick up van and 63 litres of
foreign liquor has been recovered from Alto car. He further



submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 16.06.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal case against him other than the present one.

6. Considering the facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court of Special Judge Excise Act or Exclusive Special Judge Excise-II, Munger in connection with Naya Ramnagar 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 learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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)

Neha/-

U		T	
---	--	---	--

