

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14182 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Bachani Singh @ Shatrudhan Singh, Son of Late Narayan Singh @ Late Jag Narayan Singh, resident of Mohalla- Abgila, Manpur, P.S.- Mufassil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 07.02.2018 in connection with Barachatti P.S. Case No. 99/2018 for offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38, 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information they intercepted a white colour Tata Indigo car in which the petitioner along with driver was sitting. On seeing the police they tried to flee away but both were apprehended and on search 72 litres of foreign illicit liquor



was recovered from the dickey of the car. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and nothing has been recovered from his conscious possession. He submits that neither he was the owner of the vehicle nor the illicit liquor belonged to him as he had just taken lift in the car. He undertakes to cooperate in the investigation and not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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, Gaya, in connection with Barachatti P.S. Case No. 99/2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioner.

- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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