

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16335 of 2019

Arising Out of P.S. Case No.-77 Year-2018 Thana- KALYANPUR District- Samastipur

PRAVEEN SINGH @ PRAVEEN KUMAR SINGH, aged about 35 years (Male), Son of Late Laldeo Singh Resident of Village- Maksudpur, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 23.01.2019 in connection with Kalyanpur P.S.Case No.77 of 2018 for the offence alleged under Sections 272, 273 and 414 of the IPC and Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police official is that while on patrolling duty, he got information that two vehicles parked in front of the house of one Lalu Rai, illicit liquor is being carried. The police conducted a raid and seized two vehicles, in which three persons were apprehended who revealed the name of the petitioner and other associates.



Altogether 195.75 litres of illicit liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated only on the confessional statement of apprehended co-accused which has no evidentiary value in the eye of law. He further submits that some of the apprehended co-accused have already been granted the privilege of bail by coordinate Benches of this Court in Cr.Misc.No.37579 of 2018 dated 28.06.2018 and Cr.Misc.No.40430 of 2018 dated 10.07.2018. He further submits that nothing has been recovered from his conscious possession and he is languishing in judicial custody since more than two months. Petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

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

Considering the facts and circumstances and the materials on record as well as that other co-accused have already been granted the privilege of bail, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like



amount each in connection with Kalyanpur P.S.Case No.77 of 2018 to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur, subject to the conditions that 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.

(Nilu Agrawal, J)

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