

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60308 of 2019

Arising Out of PS. Case No.-489 Year-2018 Thana- BIHIA District- Bhojpur

Pintu Singh, Son of Late Raj Narayan Singh Resident of Village - Jhaua, P.S. -
Bihiya, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case No. 2249 of 2018, arising out of Bihiya P.S. case no. 489 of
2018 instituted for the offence under Section(s) 30(A), 45 of the
Bihar Prohibition & Excise Act, 2016 and Section 353 and 307 of
the IPC.

Learned counsel for petitioner has submitted that
informant is alleged to have identified the petitioner merely on
suspicion. The petitioner has not been apprehended on the spot.

In the written report, it is alleged that police got
confidential information that illicit liquor are being brought on a
container. The police party chased the container, but the driver of
the container did not stop and caused injury to left foot of the one
of the police party. It is further alleged that accused persons



sitting on the container after taking advantage of the darkness fled away. The informant had identified this petitioner and others co-accused, namely, Birendra Thakur. In this manner, mere suspicion has been raised against this petitioner. In similarly situated case, co-accused, Birendra Thakur, has been granted bail by this Court vide order dated 20.06.2019 passed in Cr. Misc. No.37399 of 2019.

Petitioner is in custody since 03.07.2019.

Learned APP for the State opposed the prayer for bail.

Having considered the rival submissions of the parties, prayer for bail is allowed. 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 A.D.J.-IV-cum-Spl. Judge Excise, Bhojpur at Ara, in connection with Excise Case No. 2249 of 2018, arising out of Bihiya P.S. case no. 489 of 2018, subject to the following conditions :-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court, if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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