

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23487 of 2020**

Arising Out of PS. Case No.-14 Year-2020 Thana- KIUL RAIL P.S. District- Lakhisarai

Sudhir Kumar Singh, Son of Late Rajo Singh, Resident of Village-Baba  
Asthan, Athmalgola, Ward No.08, P.S.-Athmalgola, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      14-09-2020                      Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Kiul Rail P.S. Case No.14 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Some illicit country-made liquor is alleged to have



been recovered from two bags being carried by the petitioner inside a train.

It is submitted by the petitioner's counsel that it is a case of false implication. He has no criminal antecedent and he is aged about 60 years though his age has wrongly been recorded as 52 years. The recovery is not from his conscious possession, but from the compartment of the train. The petitioner is in custody since 04.02.2020.

Learned APP for the State has opposed the prayer for bail by submitting that the petitioner has been apprehended from the train.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 learned Additional Sessions Judge II-cum-Special Judge (Excise) Lakhisarai, in connection with Kiul Rail P.S. Case No.14 of 2020, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

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