

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78093 of 2019**

Arising Out of PS. Case No.-340 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rupesh Kumar Singh @ Bittu @ Rupesh Kumar S/o Sri Ramadhar Kunwar
R/o village- Ward No. 10, Kaithma, Badalpura, P.S.- Muffasil, District-
Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Adv.

For the State : Mr. Humayou Ahmad Khan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 05-06-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State through video

conferencing.

Petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2016 and Sections 25(1-b)a, 26
of the Arms Act.

One country made loaded pistol, one live cartridge and
91 bottles each containing 180 M.L. indian made foreign liquor



were recovered from possession of the petitioner. Petitioner is in jail custody since 18.06.2018 and earlier his prayer for bail was rejected by a co-ordinate Bench of this court vide order dated 21.05.2019 passed in Cr. Misc. No. 19153 of 2019.

Petitioner does have criminal antecedent of 14 cases but submission on behalf of the petitioner is that in most of the cases, petitioner has already been granted privilege of bail.

The learned trial court has reported that charge against the petitioner was framed on 20.08.2019 but in spite of issuance of process against the prosecution witnesses, not a single prosecution witness could be examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Begusarai in connection with Muffasil P.S. Case No. 340 of 2018.

However, it is made clear that in future, if petitioner is found involve in similar nature of case or any other case, the prosecution shall have right to file a petition for cancellation of bail of the petitioner and if prosecution does so, the concerned



court shall pass appropriate order on the aforesaid petition after making proper and due enquiry.

(Hemant Kumar Srivastava, J)

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