

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14579 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- KURTHA District- Jehanabad

KISHORI SINGH Son of late Ramtavakya Singh Resident of Village -
Nadaura, P.s.- Kurtha, Dist.- Arwal.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate.

For the Opposite Party/s : Mr. Ram Chandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-06-2021 Learned counsel for the petitioner undertakes to remove
all the defects pointed out by the Stamp Reporter within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ram
Chandra Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail
in connection with Excise Case No. 18 of 2021 arising out of
Kurtha P.S. Case No. 3 of 2021 registered for the offences
punishable under Sections 30(A) of Bihar Prohibition and Excise
Act, 2018.

Learned counsel for the petitioner submits that as per the
prosecution story, total 161.250 liters of illicit foreign liquor has
been recovered from the house of the petitioner. This petitioner
got apprehended on the spot and disclosed the name of other co-



accused who had managed to escape.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the recovery is from the house which belongs to the joint family. The petitioner is in custody since 9.1.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and considering that the petitioner is in custody since 09.01.2021 and his submission is that recovery is from the house which belongs to the joint family, he has otherwise no criminal antecedent, investigation is complete but the trial is not likely to be concluded in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Jehanabad in connection with Excise Case No. 18 of 2021 arising out of Kurtha P.S. Case No. 3 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

