

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15189 of 2021

Arising Out of PS. Case No.-354 Year-2020 Thana- RIVILGANJ District- Saran

PREM KUMAR SINGH S/O SHIV REKHA SINGH R/O VILLAGE-
RAMDAS CHOWK, P.S-DIGHWARA, DISTRICT-SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Rivilganj P.S. Case No. 354 of 2020 registered for the offence punishable under Sections 414 of the IPC and sections 30(a), 41 of the Bihar Prohibition and Excise Act.

Altogether 600 liters of spirit (country made liquor) is said to have been recovered from a pickup vehicle coming from Tekniwas chowk. Petitioner is alleged to be the driver of the



said vehicle who disclosed that the vehicle is a stolen one and he has purchased it from one Jay Prakash Singh, who is a businessman of spirit.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He is not the owner of the vehicle rather the same belongs to the co-accused Jay Prakash Singh and he being the driver has no concern with the materials kept in it. Petitioner has no criminal antecedent as mentioned in para-3 of the present petition and has been languishing in custody since 03.10.2020.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with



two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, in connection with Rivilganj P.S. Case No. 354 of 2020, with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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