

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16589 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Ramesh Prasad Singh, aged about 50 years, male, S/O- Late Shiv Sahay
Singh Resident of Village- Kotawara, P.S. - Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv.
For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-10-2021 The matter has been listed today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for short ‘APP’) for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Excise Case No. 334 of 2020,
instituted for the offence under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2018.

207.360 litres illicit liquor has been recovered from the
boot of the petitioner’s car. He has been arrested at the time and



place of recovery.

It is submitted by the petitioner's counsel that he is in custody since 28.11.2020. His implication is on extraneous consideration. He further submits that there is no compliance with the mandatory procedure of seizure and that petitioner has no criminal antecedents.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Excise Case No. 334 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.

(Madhuresh Prasad, J)

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