

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25641 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Saroj Kumar Son of Sri Rajesh Singh Resident of Village - Rodhe Bigha, P.S.-
Obra, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.
For the State : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 22.01.2021 seeks
bail in connection with Excise Case No.89 of 2021 for the
offence punishable under Sections 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 600 liters wine
was recovered, in course of raid.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 600 liters wine is recovered from the Khalihan belonging to joint family of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, IInd-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No.89 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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