

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27094 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

Prabhat Singh @ Prabhat Kumar Singh, Son of Sri Sakaldeep Singh, Resident
of Village Mohiuddinpur Garahi, P.S. Jandaha, District Vaishali- 844505.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prachi Pallavi
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of the defects within undertaken period, the office
will place the matter before the Bench.

The petitioner apprehends his arrest in Case No. C2A
No.200/2020, registered for the offences punishable under
Sections 30(a) (32)(i),(ii),41(i) of the Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that there is no recovery



from the conscious possession of the petitioner rather 3894.12 litres of Indian made foreign liquor was recovered from a truck. It is submitted that the apprehended accused disclosed the name of the petitioner as member of the syndicate who indulged in illegal trade of wine. It is submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.1,00,000/- (rupees one lakh) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Case No. C2A No.200/2020, subject to the conditions:



(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.1,00,000/- (rupees one lakh) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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