

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33044 of 2021

Arising Out of PS. Case No.-145 Year-2020 Thana- VIDYAPATINAGAR District-
Samastipur

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SHABNAM KUMAR SINGH @ SHABNAM KUMAR PRIYAI Son of
Randhir Prasad Singh @ Randhir Singh Resident of Village - Sahit
Virandavan, P.S. - Vidyapati Nagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha
For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 15-06-2021

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 117.87 litres Indian made
foreign liquor from the house of the petitioner on the raid
conducted by the police. During raid, Vijay Kumar Singh along
with others tried to flee away but three of them were
apprehended after chase and Shabnam Kumar Singh (petitioner)
manged to flee away.

It has been submitted on behalf of the learned counsel

for the petitioner that he is innocent and nothing has been recovered from his possession. Petitioner is member of joint family, as such, he has been made accused in this case. Father and other family members of petitioner have already been arrested. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Vidyapati Nagar P.S. Case No.145 of 2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C with 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 offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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