

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30879 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

SONU SINGH S/o Krishna Singh R/o village- Dubauli, P.S.- Baikunthpur,
District- Gopalganj

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Advocate
For the Opposite Party/s : Mr.Bal Mukund Pd. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Bal Mukund Pd. Sinha, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Excise Case No. 52 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018. He is in custody since 20.02.2021 having two criminal antecedents as stated in paragraph '3' of the application.

As per the prosecution story, the informant alleged that in course of checking one Xylo Pick Up Vehicle was seized of which Manjeet Singh of Haryana was the driver. On asking



from said Manjeet Singh, he disclosed that he was going to drop the said wine to one Binod Yadav of village – Bhopatpur, P.S.- Kotwa, district – East Champaran (Motihari). The informant further alleged that Sonu Singh (petitioner) who was running a line Hotel was also in connection with the driver on his mobile. On search of the alleged vehicle total 489.540 liters illegal wine were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated, petitioner was not arrested from the vehicle, he is running a line hotel for his livelihood, however he is in custody since 20.02.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the illicit liquor were recovered from a Xylo Pick-Up Van which does not belong to the petitioner, the vehicle was being driven by co-accused Manjeet Singh of Haryana and he had disclosed the name of one Binod Yadav and so far as this petitioner is concerned, he is running a line Hotel and has been arrested only because he was not able to please the police officials, there is no recovery of illicit liquor from the Hotel



premises, the petitioner has remained in custody for more than eight months, investigation against him is complete and he has got two criminal antecedents, this Court directs that petitioner shall be released on bail **on completion of 9 (nine) months of custody** on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II – cum – Special Judge, Excise Act, Gopalganj, in connection with Excise Case No. 52 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

