

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37582 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- BUXAR MUFFASIL District- Buxar

Rajkumar Singh @ Mash @ Raj Kumar Singh @ Rajkumar Kushwaha, aged about 28 years, male, Son of Rama Shankar Singh @ Ramashankar Singh Resident of Village - Jagdishpur, P.S.- Buxar (Muffasil), District - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amit Kumar Pandey, Adv.
For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Buxar (Muffasil) PS Case No. 156 of 2020, registered for offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioner along with co-accused Deepak Singh @ Deepak Kumar has abandoned a vehicle in which 293.76 litres illicit liquor was being transported and have fled away.

Learned counsel for the petitioner submits that even



as per the prosecution case, the petitioner has not been apprehended in the vehicle from which recovery has been made. Other than suspicion, based on the statement of co-accused, there is no material to connect the petitioner with the alleged recovery. Upon his remand, he is in custody since 18.03.2021. He has two criminal antecedents, as per statement made in paragraph No.3 of the bail petition and he is stated to be on bail in the said cases.

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 is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge 2nd-cum Special Judge Excise Act, Buxar, in connection with Buxar (Muffasil) P. S. Case No. 156 /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)

shyambihari/-

U		T	
---	--	---	--

