

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30190 of 2020**

Arising Out of PS. Case No.-68 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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BHIKHARI SINGH @ SURENDRA SINGH S/o Late Ganesh Singh R/o
Vill.-Maudah Chaur (Chatur) P.S.-Patepur, Distt.-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rina Sinha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 22-01-2021 Heard learned counsel for the petitioner and Mr.

Choubey Jawahar, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with C2 A Case No. 68 of 2020 registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition & Excise Act.

Learned counsel for the petitioner submits that on
confidential information the Excise Officials raided the maize
field situated in western direction of the house of the petitioner
and recovered 358 liters of illicit liquor.

Learned counsel submits that the petitioner is
innocent and has falsely been implicated in this case. It is
submitted that the petitioner has no concern to the maize field
from which the illicit liquor is said to have been recovered.



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

Having regard to the facts and circumstances of the case wherein there is no contest to the submission of learned counsel for the petitioner that the recovery has been made from the maize field which does not belong to the petitioner, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with C2 A Case No. 68 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (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, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India without the previous permission of the Court.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.

