

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37563 of 2020**

Arising Out of PS Case No.-26 Year-2020 Thana- RAGHUNATHPUR District- Siwan

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Guddu Singh @ Guddu Kumar Singh, Male aged about 31 Years, Son of
Gautam Singh, Resident of Village Harnathpur PS Raghunathpur District
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the State : Ms. Sangita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 05-02-2021

Heard Mr. Ajay Kumar Tiwary, learned counsel for the
petitioner and Ms. Sangita Verma, learned Additional Public
Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with
Raghunathpur PS Case No. 26 of 2020 dated 11.02.2020,
instituted under Sections 30(a) and 38 of the Bihar Prohibition and
Excise Act, 2016.

3. The allegation against the petitioner and three others
is that on secret information that they were keeping liquor, when
the police went to the site, 475.200 litres of foreign liquor was
recovered from the canal and 3-4 persons ran away.



4. Learned counsel for the petitioner submitted that only on suspicion he has been named, but not caught, and there is no witness that the petitioner was one of the persons who had run away. It was submitted that though petitioner has one other criminal case against him, but under Sections 341, 323, 504/34 of the Indian Penal Code and the Court may impose strict conditions. It was submitted that the petitioner is in custody since 08.09.2020.

5. Learned APP submitted that the police had informant that it was the petitioner and three others who had kept liquor and when the police reached, they had run away.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in Raghunathpur PS Case No. 26 of 2020 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any



law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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