

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.218 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- JADOPUR District- Gopalganj

SANJAY SINGH Son of Dhruv Singh @ Dhruv Singh @ Dhruv Rai @
Dhurup Rai Resident of Village - Masharthana, Police Station - Yadopur
(Jadopur), District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Yadopur (Jadopur) P.S. Case No. 39 of 2020 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the informant on a secret information reached the Mallari Ghat and waited for the accused persons. The informant along with other police party chased the three boats and recovered a total of 178.740 litres of foreign liquor and prepared the seizure list.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the recovery has been made from the boat which does not belong to this petitioner and nothing has been recovered from his



conscious possession. Learned counsel submits that the petitioner has got no criminal antecedent and he is languishing in custody since 03.09.2020.

Learned APP 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 alleged that the police had recovered some illicit liquors from the boats and on seeing the police party the petitioner and others fled away, the petitioner is in jail since 03.09.2020 and he has otherwise no criminal antecedent, let the petitioner above-named be released on bail 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 Additional Sessions Judge-cum-Special Judge (Excise), Gopalganj in connection with Yadopur (Jadopur) P.S. Case No. 39 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.



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 disposed of accordingly.

(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'.

