

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58210 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- NADI P.S. District- Patna

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KAMAL SINGH S/o Inder Singh Resident of Karotha, P.S.- Shivaji Colony
Rohtak, Distt.- Rohtak (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha,Adv

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood,APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-10-2021 Let the defect (s) be removed within two weeks of

the complete start of the physical Court.

Heard the parties.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 353,420,427,467,468,471/34
IPC and Sections 30(a),36,41(i), 45 of Bihar Prohibition and
Excise Act, 2016.

This matter has been taken up for out of turn hearing.
On the prayer of the petitioner, vide supplementary affidavit
filed in this case stating therein that son of the petitioner is
hospitalized and there is no one to take proper care of his son.

According to FIR, recovery of liquor is alleged from a
Truck. The petitioner was not there at the time of recovery. The
person, available on the Truck, disclosed that he brings liquor



from Haryana from the petitioner.

Submission is that the petitioner was apprehended at the Patna Airport, when the petitioner had come to Patna to attend a case registered under Economic Offences. Thereafter, extracted confessional statement of the petitioner is there and on that basis, the petitioner was remanded in several cases wherein the petitioner was not named in the FIR. Petitioner is in custody since 15.05.2021, however, remanded in this case only on 04.07.2021. Investigation of the case is already complete.

Next submission is that the petitioner has not violated the provisions of Bihar Prohibition and Excise Act in the territorial jurisdiction of Bihar.

Considering the submission aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.171 of 2021 arising out of Nadi P.S. Case No.04 of 2021 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.



(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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