

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7868 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- SARAI District- Vaishali

MADHUSUDAN SINGH son of Late Satya Charan Singh @ Satcharan
Singh Resident of Village- Dharampur, P.S. Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mrs. Vaishnavi Singh, learned counsel for the

petitioner and Mr. Umesh Lal Verma, learned APP for the State

through video conferencing.

Petitioner seeks regular bail in connection with Sarai
P.S. Case No.43 of 2020 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation as per the First Information Report is
that police got secret information that petitioner along with
other accused persons have brought consignment of liquor and
has stored the same in the boring room situated in the field of
Madhusuan Singh, i.e., petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of



secret information. Learned counsel further submits that boring room from where, illicit liquor has been recovered does not belong to him. Referring to paragraph-10 of this petitioner, learned counsel submits that the land in question is situated at Khesara no.1951 which belongs to Most. Vanaras Kuwar whereas petitioner is the owner of the land bearing Khesara no.1949. Learned counsel next submits that boring room from where illicit liquor has been recovered is situated at an open space which is accessible to all and sundry. Learned counsel next submits that the petitioner has got no criminal antecedent and the police after investigation has submitted charge-sheet and the charges have been framed against the petitioner and there is no possibility that petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and material available on record and the fact that the petitioner has got no criminal antecedent and the charge-sheet has already been submitted in the matter and charges have been framed and there is no possibility that petitioner will abscond or tamper with the evidence, he is in custody since 19.10.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-cum-Special Judge Excise at Hajipur in connection with Sarai P.S.Case No.43 of 2020 with following condition:-

That petitioner shall remain present on each and every date and in case of his non-appearance of two consecutive dates, his bail bond shall stand automatically cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

Brajesh Kr./-

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