

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4441 of 2022**

Arising Out of PS. Case No.-535 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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BABLOO KUMAR Son of Shivrindan Sah Resident of Village - Machha ,
P.s.- Mufassil (Singhaul), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 21-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mufassil
(Singhaul) P.S. Case No. 535 of 2021 registered for the offences
punishable under Sections 120(B) of the Indian Penal Code and
Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, informant alongwith other
police officials went on conducting raid on the basis of secret
information. It is alleged that the petitioner alongwith co-
accused was hiding the liquor in the field of Maize and Janera
seeing the police vehicle, they tried to escape away from the



place of occurrence. Two persons succeeded in fleeing away by taking advantages of darkness. While the present petitioner was apprehended on spot. It is alleged that as per seizure list 43.02 litres foreign liquor was recovered from field in question.

Learned counsel for the petitioner submits that petitioner is in custody since 17.10.2021 petitioner bears no criminal antecedent of this case. charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Seizure list has not been prepared as per law.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-Cum-Special Judge (Excise Act), Begusarai in connection with Mufassil (Singhaul) P.S. Case No. 535 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or



sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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