

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8627 of 2022**

Arising Out of PS. Case No.-413 Year-2021 Thana- NAUTAN District- West Champaran

Abhishek Singh Son of Anil Singh Resident of Village-Laukariya Ps -Bairiya
District West- Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 413 of 2021 registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.10.2021.

The allegation against the petitioner is escorting a
tempo carrying 139.320 liters of foreign made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated in this case
for the reason that the name of the petitioner involved in this



case on the basis of confessional statement. While arguing over the matter, it is further submitted that nothing incriminating has been recovered from physical possession of the petitioner. It is further submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State fairly conceded that nothing incriminating has been recovered from physical possession of the accused/petitioner.

Considering the facts and circumstances as mentioned above and as nothing incriminating has been recovered from physical possession of the petitioner coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Nautan P.S. Case No. 413 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.



(ii) That one of the bailors shall be
the close relative of the accused/ petitioner
like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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