

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12584 of 2022

Arising Out of PS. Case No.-217 Year-2021 Thana- NAVINAGAR District- Aurangabad

SAKTI SINGH, Son of Manoj Singh @ Manoj Kumar Singh Resident of
Village - Rampur, P.s.- Nabinagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Nabinagar P.S. Case No. 217 of 2021, registered for the

offences punishable under Sections 30 (a) of the Bihar

Prohibition and Excise (Amendment) Act, 2018

As per allegation, 690 litres of "Tunch" country

made liquor is alleged to have been recovered at a canal

near baghar of the village.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case. He further submits that recovery of the liquor has



not been made from the conscious possession of the petitioner; rather it has been recovered from some open land. He has further submitted that though he has one criminal antecedent of similar nature, but he is on bail in that case.

The petitioner is in custody since 14.01.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has been made accused in Nabinagar P.S. Case No. 205 of 2020, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise 1st,



Aurangabad, Bihar in connection with Nabinagar P.S. Case
No. 217 of 2021 on the following conditions:

(i) The petitioner will make himself available for
interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that
investigation/trial will not hamper on account of his absence
or non-cooperation. He must be available to the police or the
court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court
below that the petitioner has criminal antecedent other than
the disclosed one, the learned court below shall cancel the
bail bond of the petitioner after hearing him and getting
satisfied that the petitioner has concealed his criminal
antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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