

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17477 of 2022

Arising Out of PS. Case No.-549 Year-2021 Thana- GOPALPUR District- Bhagalpur

VINAY KUMAR SINGH @ KARELAL SINGH @ VINAY KUMAR Son of
Gopal Singh Resident of Village - Kalindinagar, P.s.- Gopalpur, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Gopalpur P.S. Case No. 549 of 2021 registered for the alleged offences under Sections 30(a) and 37(B) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that police received secret information about the petitioner manufacturing and selling illicit liquor from his house and a raid was conducted and the petitioner was apprehended from his house. He was found in



drunken condition and from the bushes behind his house, 30 liters of country made liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He was not apprehended in drunken condition as alleged and no recovery has been made from his conscious possession and the recovered item has been found from bushes behind his house. Charge sheet has been submitted in this case and the petitioner is in custody since 27.11.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submission made hereinabove and considering the fact that recovery has not been made from the house of the petitioner and the charge sheet has been submitted and the petitioner is in custody for about nine months, the petitioner above named is directed to 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 Special Judge (Excise)-I, Bhagalpur in connection with Gopalpur P.S. Case No. 549 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will



be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) The petitioner will not indulge in similar type of offences in future.

(v) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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