

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18109 of 2022

Arising Out of PS. Case No.-51 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

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ANGREJ SINGH Son of Gurunam Singh Resident of Village - Shilakheda,
P.S. and Distt.- Kaithal (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2022 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
Durgawati P.S. Case No. 51/2020 (Excise Case No. 179/2020)
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018. Later on
learned court below has taken cognizance against the petitioner
in under Sections 467, 468, 471, 420, 120B I.P.C.

As per prosecution case, there is alleged recovery of
total 6456.750 liters English wine from truck in question.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. The petitioner is not named in the FIR but the name has been transpired in this case by local police due to suspicion and on the basis of call details. The petitioner was not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner. The petitioner is brother-in-law of apprehended co-accused, Ranjit Singh @ Soni Singh. The petitioner is languishing in custody since 02.08.2021 and bears criminal antecedent of one case of similar nature. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Ranjit Singh @ Soni Singh has been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.29215/2021.

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

Considering the facts and circumstances of the case as well as period of custody, petitioner was not apprehended on the spot, charge sheet has already been submitted and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 2 cum



Additional District Judge-III, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 51/2020 (Excise Case No. 179/2020), subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has 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 without appropriate permission, 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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