

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19711 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- AMNAUR District- Saran

Shailendra Singh, S/O Lal Badan Singh, R/O Village- Husapur (GYASPUR)
P.S.- Amnaur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

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 Amnour P.S. Case No. 55 of 2022 registered for the alleged offences under Sections 272, 273 and 290 of the Indian Penal Code and Sections 30(a), 37(B)(C) of the Bihar Prohibition Act and Excise Act, 2018.

The prosecution case is that police received secret information about a person selling country made liquor openly and when the police raided the spot, the petitioner tried to escape from there and he was carrying a bag. From the



possession of this petitioner, total 107 litres of country made liquor was seized. The petitioner was also found to be under influence of the alcohol.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner was neither arrested from the spot nor anything was seized from there and nothing incriminating has been recovered from the conscious possession of this petitioner. Actually recovery has been made from the back of brick-kiln of one Ramesh Singh, but the police deliberately named this petitioner. Charge-sheet has been submitted in this case and the petitioner is in custody since 26.01.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted and further considering the period of his custody, 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 1st Exclusive Special Judge, Excise, Saran in connection with Amnour P.S. Case No. 55 of 2022, subject to the following



conditions :

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

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

(iii) In case of absence for 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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