

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21465 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- AMBA District- Aurangabad

Sunil Singh @ Sunil Kumar Singh Son of Suresh Narayan Singh Resident of
Village - Bariyawan, P.O.- Malhara, P.S.- Amba, District - Aurangabad
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard Mr. Sumit Shekhar Pandey, learned counsel for
the petitioner as well as learned Additional Public Prosecutor for
the State through video conference.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Amba P. S. Case No. 179 of 2021
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, it is alleged that the
Police, on a secret information, intercepted one white coloured



Tata Bus, on seeing the Police party four persons tried to flee away from the said bus, they were apprehended by the Police and on the disclosure made by one of the apprehended persons namely, Manas Kumar Singh, the name of the petitioner has been implicated in this case.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was neither arrested at the spot nor any incriminating material has been recovered from the person or possession of this petitioner. It is next submitted that the name of the petitioner has come on the disclosure made by the co-accused Manas Kumar Singh, who was apprehended by the Police. It is only alleged that the co-accused persons was in touch with this petitioner on his mobile phone, who were involved in the alleged trade of illegal wine. It is next submitted that this petitioner is a man of fair antecedent and is in custody since 03.03.2022, though the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is named in the F.I.R. and he is found involved in trade of illicit wine.

Having considered the submissions made on behalf



of the parties and taking into account the fact that the name of the petitioner has been disclosed by one of the accused persons, who was apprehended by the Police and moreover, the petitioner was neither arrested at the spot nor any incriminating material has been recovered from his person or possession and further after completion of the investigation of the crime, the charge-sheet has been submitted and there is no likelihood of commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 1st Aurangabad in connection with Amba P. S. Case No. 179 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates
without any cogent reason, his bail bonds will
liable to be cancelled.

(Harish Kumar, J)

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