

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20888 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- MADANPUR District- Aurangabad

=====

Pintu Singh @ Pintu Kumar Singh @ Sushil Singh S/O Shashi Bhushan
Singh @ Chandar Bhushan Singh R/O Village- War, P.S.- Madanpur, District-
Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-07-2022 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 in virtual court proceeding.

The petitioner seeks bail in connection with General
Registration No. 1150/2021 arising out of Madanpur P.S. Case
No. 224 of 2021 registered for the offences punishable under
Sections 30(a) and 33 of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery of
875 litre spirit from pick-up van in question and petitioner
along with other co-accused fled away from the spot. Local
people disclosed the names of the petitioner and other co-
accused as fled away persons.



Learned counsel for the petitioner submits that petitioner is in custody since 06.03.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that petitioner is neither concerned with the alleged vehicle in question nor recovered spirit belongs to him and he has not been apprehended on the spot. There is nothing recovered from the conscious possession of the petitioner and the name of the petitioner has been falsely implicated in this case.

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

Considering the facts and circumstances of the case, period of custody, keeping in view the clean antecedent, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration that petitioner is not apprehended on the spot and the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, First, Aurangabad in connection with General Registration No.



1150/2021 arising out of Madanpur P.S. Case No. 224 of 2021
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)

sanjeev/-

U		T	
---	--	---	--

