

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23132 of 2022**

Arising Out of PS. Case No.-68 Year-2022 Thana- RIGA District- Sitamarhi

1. ARUN SINGH @ AMIT SINGH S/o Late Lal Babu Singh Resident of Village - Dumari Kala, P.S. - Majorganj, District - Sitamarhi
2. Pintu Kumar s/o Binda Sah Resident of Village - Barahi, P.S. - Suppi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shyama Kant Singh  
For the Opposite Party/s : Mrs. Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      08-07-2022                      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 petitioners and learned A.P.P. for the State by virtual mode.

The petitioners seek bail in connection with Riga P.S. Case No. 68 of 2022 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery of 583.32 litre illicit wine from Bolero pickup van in question. It is alleged that seeing the police party the accused persons started fleeing away but anyhow one co-accused Indal Mahto was apprehended by the police who disclosed the name of



petitioners and other as fled away persons.

Learned counsel for the petitioners submits that petitioners are in custody since 27.02.2022. Petitioner no. 2 bears clean antecedent and petitioner no. 1 bears criminal antecedent of ten cases in which two cases are of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. He further submits that petitioners have no concern with the seized articles. Petitioners are not arrested on the spot. Nothing has been recovered from conscious possession of the petitioners. Petitioners have falsely been implicated in this case due to local politics.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering the evidence, petitioners are not arrested on the spot and also taking into consideration the material available on record, let the petitioners above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Sitamarhi in



connection with Riga P.S. Case No. 68 of 2022, 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) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper 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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