

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28149 of 2022**

Arising Out of PS. Case No.-160 Year-2022 Thana- HILSA District- Nalanda

AVISHEK KUMAR SINGH S/o Sri Surendra Prasad Singh R/V- Marchoi,  
P.s.- Basodih, Distt.- Kodarma At present resident of Village- Ratu Road,  
Pishaka More, P.S.- Sudhdeo Nagar, Distt.- Ranchi (Jharkhand.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar Sinha  
For the Opposite Party/s : Mr.Zainul Abedin

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

2      05-08-2022                      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 Hilsa  
P. S. Case No. 160 of 2022 registered for the offence punishable  
under Section 30(a) of the Bihar prohibition and Excise  
Amendment Act, 2018.

As per prosecution case, there is alleged recovery  
of 2079 liters foreign liquor from the truck which was being  
driven by the petitioner and seeing the police petitioner fled  
away.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. The petitioner was neither arrested on the spot nor any incriminating articles have been recovered from the possession of the petitioner. Petitioner is in custody since 10.03.2022 petitioner bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

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 clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration 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 Exclusive Special Court-I, Biharsharif, Nalanda in connection with Hilsa P.S. Case No. 160 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) 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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