

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31051 of 2022**

Arising Out of PS. Case No.-260 Year-2022 Thana- JAHANABAD District- Jehanabad

Bhola Singh Son of Late Jagdish Singh R/O- Vill- Uttari Daulatpur, Raja
Bazar P.S.- Jehanabad, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mrs. Gulnar Begum

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

2 29-07-2022 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.

The petitioner seeks bail in connection with
Jehanabad P.S. Case No. 260/2022 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, there is alleged recovery of
750 ml. foreign liquor from the shop of the petitioner as well as
27.750 liters foreign liquor kept from the box attached with
Thela in front of shop. Petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. Bare reading of the FIR itself shows that from the shop of the petitioner only 750 ml. foreign liquor is said to have recovered and nothing has been recovered from the conscious possession of the petitioner. The seized liquor does not belong to the petitioner. The petitioner is languishing in custody since 14.04.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case as well as period of custody, charge sheet has already been submitted and keeping in view clean antecedent of petitioner 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 Special Judge Excise Court No.-II, Jehanabad in connection with Jehanabad P.S. Case No. 260/2022, 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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