

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39756 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- TISIAUTA District- Vaishali

Shashi Kumar @ Shashi Kumar Singh S/o- Late Ram Lakshan Singh @ Late
Ram Laxman Singh Resident of Village- Mehpur Singhara, P.S.- Mahua,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 02.03.2021 seeks
bail in connection with Tisiauta P.S. Case No.25/2021
registered for offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Prosecution case in brief, is that altogether 106.53
liters of Indian made foreign liquor was recovered from one
Maruti Alto car bearing registration no.BR1U-2728.

Learned counsel appearing on behalf of the petitioner



submits that petitioner was apprehended by the police on mere suspicion he was just passing through the said Alto car from which huge quantity of liquor was recovered. He further submits that the above-mentioned vehicle is not registered in his name neither he has any concern with the co-accused who has been apprehended in the present case.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner.

Considering the afore-mentioned facts and circumstances and of the case and in view of the statement made in paragraph no.3 of the bail petition, it is directed that the court below shall verify the criminal antecedent of the petitioner and if no other criminal case or excise case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd-cum-Excise Court, Vaishali at Hajipur in connection with Tisiauta P.S. Case No.25 of 2021, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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