

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40354 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

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TRIPURARI SINGH @ TRIPURARI KUMAR SINGH S/o- Ajay Singh R/o-
Gulab Patty Parsauni, P.S. - Sahebganj, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-01-2022

Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 06.04.2021, seeks
regular bail in connection with Sahebganj P.S. Case No. 113 of 2020,
for the offence punishable under Sections 272, 273 and 414 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in brief, is that huge quantity of
illicit liquor was recovered from different vehicles, whose
registration numbers are (1) NL01K-9099, (2) DL4CR-8338, (3)
BR05G-9687, (4) DL7CE-2556, (5)BR06M-4337, (6) NL01K-9099,
(7) NL01K-9099, (8) DL4CR-8338, (9) BR05G-9687, (10) DL7CE-
2556 and (11) BR06M-4337 from altogether 2100.390 litres of illicit
liquor was recovered.



Learned counsel appearing on behalf of the petitioner submits that though the petitioner has been made accused in this case, but petitioner was not present at the place of occurrence and he was apprehended on 06.04.2021 from his village, which is nine kilometer far from the place of occurrence after nearly one month of the alleged occurrence, which took place on 02.03.2020. He has been apprehended on the basis of statement of Chowkidar after one month.

Learned A.P.P. for the State has opposed the prayer for bail and submits that huge quantity of illicit liquor recovered. He further submits that trade of illicit liquor is rampant in the State of Bihar and the petitioner is member of such organized trade and as such he does not deserve to be released on bail.

Considering the above mentioned facts and circumstances of the case, the petitioner is directed to be released on bail after ascertaining as to whether any other criminal case is pending against him as to what has been stated in paragraph No.3 of the petition and on being satisfied, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 2,00,000/- (Rs. Two Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Muzaffarpur in connection with Sahebganj P.S. Case No. 113 of 2020, 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 tampers 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 petitioner.

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

(Purnendu Singh, J)

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