

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44369 of 2021

Arising Out of PS. Case No.-131 Year-2021 Thana- GAIGHAT District- Muzaffarpur

NUNU SINGH Son of Indrajeet Singh @ Babji Singh Resident of Village -
Pirauchha, P.S.- Gay Ghat, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of 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 31.03.2021 seeks
regular bail in connection with Gay Ghat P.S. Case No. 131 of
2021 registered for offence punishable under Section 272, 273,
414/34 of the Indian Penal Code and Section 30(a), 36, 41(1) of
the Bihar Prohibition and Excise Act.

Prosecution case in brief is that altogether 168.075
litres of illicit liquor was recovered from one container and one
Bolero vehicle bearing Registration No. NL01AB-3168 and
BR06PE-2107 respectively. However, one Alto car escaped.



Altogether total 15 persons have been made accused out of which driver and owner of the Alto car managed to escape from the spot.

Learned counsel appearing on behalf of the petitioner submits that nothing has been recovered from the conscious possession of the petitioner rather he has been made accused in the present case due to dirty village politics. He further submits that he has no concern with the said vehicle which were seized on the spot and the petitioner is in custody since 31.03.2021 and has got no criminal antecedent.

Learned A.P.P. however, opposes the prayer for bail.

Having considered the fact that nothing has been recovered from the conscious possession of the petitioner and he has got no criminal antecedent, the petitioner is directed to be enlarged on bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gay Ghat P.S. Case No. 131 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



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

(iii) If the petitioner tempers 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.

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

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

