

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45168 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- HATHAURI District- Samastipur

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Munna Singh S/o Late Ganga Prasad Singh Resident of Village - Rahtauli,
P.S. - Hathouri, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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

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

Petitioner who is in custody since 5.6.2021 seeks
regular bail in connection with Hathouri P.S. Case No. 79 of
2021 registered for the offence punishable under section 30(a)
of Bihar Prohibition and Excise Act, 2016.

Prosecution case in brief is that 51.840 liters of
foreign liquor was recovered from the Alto Maruti Car bearing
registration no. BR07AE3469.

Learned counsel for the petitioner submits that the
petitioner was a passenger on the said car. He was not aware
about the illicit liquor kept in the care and as such he was made



accused in this case. He further submits that the petitioner is innocent and he has clean antecedent. It has further been submitted that one other co-accused Deepak Singh from whose care the said illicit liquor was recovered, has already been granted bail by the coordinate bench of this Court vide order dated 29.10.2021 passed in Cr. Misc. No. 42719 of 2021.

Learned counsel appearing on behalf of the State has opposed the prayer for grant of bail to the petitioner.

Having considered the rival submission of the parties as well as the material on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 100,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned ADJ-II cum Special Judge, Excise, Samastipur, in connection with Hathouri P.S. Case No. 79 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 cooperate 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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