

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42678 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- TEGHRHA District- Begusarai

Arvind Singh @ Dhapo Singh S/O Kedar Singh R/O Village- Madhurapur,
Ward No. 12, Nipaniya, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-09-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in connection with Teghra P.S. Case No. 125 of 2022 for the offences punishable under Sections 30(a), of the Bihar Excise (Prohibition) Amendment Act.

The police on a secret information conducted raid and on search 488.730 liters foreign liquor was recovered from the bags which were kept in Bhuskhar of the petitioner.



Learned counsel for the petitioner submits that from the FIR, it would be evident that the alleged recovery has been made from Bhuskhar of the petitioner which is constructed in an open place and accessible to all. He next submits that the petitioner has neither any concern with the said Bhuskar nor the illicit liquor and moreover, the petitioner having fair antecedent is in custody since 16.05.2022. After completion of investigation charge sheet has been submitted. It is next submits that there is no compliance of section 100(4) of the code of Criminal Procedure as well as section 81 and 82 of the Bihar Prohibition & Excise Act.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the fact that the alleged recovery has been made from Bhuskhar and moreover, the petitioner having fair antecedent is in custody since 16.05.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Judge, Excise-I, Begusarai in connection with Teghra P.S.Case No. 125 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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