

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41567 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- RIVILGANJ District- Saran

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Amit Kumar Singh @ Anish Kumar Singh Son of Pati Ram Singh R/o
Village- Naya Basti Loha Tola, P.S.- Rivilganj, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rivilganj P.S. Case No. 458 of 2021 lodged under Section 30(a)
of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 908
litres foreign liquor was alleged to be made from the bush
situated at Diara.

Learned counsel for the petitioner submits that the
petitioner is not apprehended from the place of occurrence. He
further submits that petitioner is in custody since 12.05.2022,
charge sheet has already been filed in this case. On the point of

his criminal antecedent, counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that there are in total 5 criminal cases pending against the petitioner including the present one.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Judge, Excise Court, Saran at Chhapra in connection with Rivilganj P.S. Case No. 458 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 5 cases pending against the petitioner which are as follows:

- i. Baniyapur P.S. Case No. 416 of 2021 lodged under Section 30(a) of Bihar Prohibition and Excise Act.
- ii. Rivilganj P.S. Case No. 308 of 2021 lodged under Section 30(a) of the Bihar Prohibition and Excise Act.
- iii. Rivilganj P.S. Case No. 351 of 2021 lodged under Section 30(a) of Bihar Prohibition and Excise Act.
- iv. Rivilganj P.S. Case No. 229 of 2021 lodged under Section 30(a) of Bihar Prohibition and Excise Act.
- v. Rivilganj P.S. Case No. 458 of 2021 lodged under Section 30(a) of Bihar Prohibition and Excise Act (present case).

All cases belongs to same District and Session Division that is Chhapra.

Learned District and Session Judge Saran at Chhapra is directed to do the needful so that all the cases above named shall run before the one session Excise Court with same date.

Let the copy of the order be communicated to District Judge Saran at Chhapra for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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