

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43787 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- RIVILGANJ District- Saran

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Amit Kumar Singh @ Anish Kumar Singh, Son of Pati Ram Singh, Resident
of village- Naya Basti Loha Tola, P.S- Rivilganj, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Rivilganj P.S. Case No. 351 of 2021 registered
for the alleged offences under Section 30 (a) of the Bihar
Prohibition and Excise Act.

Allegedly, 181.350 litres of India made foreign liquor
was recovered from back of Saryug river. The petitioner fled
away from the spot when the raid was being conducted.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. He was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 05.05.2022.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is a habitual offender.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from him and also considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Judge, Excise Court, Saran at Chapra, in connection with Rivilganj P.S. Case No. 351 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.



(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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