

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53867 of 2021**

Arising Out of PS. Case No.-240 Year-2021 Thana- RAJAON District- Banka

=====

SUMIT KUMAR SINGH, SON OF SHRI RAM GULAM SINGH R/O  
BATHNIYA, P.S.- RAJOUN, DIST.- BANKA- 813109 (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Prachi Pallavi, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      23-02-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with  
Rajoun P.S. Case No. 240 of 2021, for the offence punishable  
under Section 30(a) and 32 of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, in brief, is that altogether 53.8  
litres of illicit Indian Made Foreign Liquor was recovered from  
Scorpio vehicle registration No. JH-21H-7237. The petitioner  
along with one co-accused Saket Kumar were found sitting in  
the said vehicle.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is the owner of the said vehicle bearing registration No. JH-21H-7237 in which other passengers were also sitting. It is specific case of the petitioner that the alleged illicit liquor, which has been recovered was not belongs to him, rather, the same was carried by the passengers in the clandestine manner. She further submits that petitioner is innocent and he is in custody since 03.07.2021. She further submits that other co-accused Manu Kumar and Niranjana Kumar Yadav have already been enlarged on bail vide order dated 13.01.2022 passed in Criminal Miscellaneous No. 48161 of 2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Banka in connection with Rajoun P.S. Case No. 240 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 co-operate 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)**

manish/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

