

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52120 of 2021**

Arising Out of PS. Case No.-21 Year-2019 Thana- BALRAMPUR District- Katihar

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Ganesh Singh S/O- Mahendra Singh R/O- Kisanpur, Kawaiya (Maharajpur),
P.S.- Sadar Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 01-04-2022 The applicant is accused in Crime No. 21 of 2019 registered with Balrampur Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act. By this application he is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

Undisputedly, the applicant is not having any criminal antecedent. According to the prosecution case, on the basis of secret information pickup van came to be inspected on 15.02.2019. It was found to be containing 268.5 liters of foreign liquor. The occupants of that vehicle were arrested. They disclosed that the applicant is the owner of the said



vehicle. That is how the applicant is undergoing pretrial detention from 25.02.2021.

As the investigation of the subject crime is over and the applicant is not having any criminal antecedent, I see no reason to refuse bail to the applicant and, therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 21 of 2019 registered with Balrampur Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be



involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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