

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43599 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

Saryug Singh, Son of Late Doman Singh, Resident of village- Jamudaha, P.S-
Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-09-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Devendra Prasad Singh, learned counsel
for the petitioner and learned APP for the State through video
conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Rajauli P.S. Case No. 47 of 2022 registered for
the offences punishable under Sections 30(a), 30(c) of the Bihar
Prohibition and Excise Act, 2016.

The police on a secret information with regard to
manufacturing of illicit wine, raided the place of occurrence and
on search 120 litres of ready Mahua wine and 200 litres of Jawa



Mahua was recovered. It is further alleged that the petitioner was apprehended at the spot.

Learned counsel appearing on behalf of the petitioner submits that from the F.I.R., it would be evident that the alleged recovery has been made from a hill situated at Jamudaha village, which is a public place, accessible to all. He next submits that on the fateful day, the petitioner was passing through the said place and the police on suspicion apprehended him. He next submits that there is no compliance of Section 100 of the Cr.P.C, apart from the defiance of Sections 81 and 82 of the Bihar Prohibition and Excise Act, 2016. He lastly submits that the petitioner, having fair antecedent, is in custody since 27.04.2022 and now the investigation of the crime is already complete and charge-sheet has been submitted and, as such, there is no chance of absconding of the petitioner and tampering with the evidence.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is already complete and charge-sheet has been submitted, though the petitioner is in custody since 27.04.2022



and now keeping the petitioner behind the bar would serve no further purpose, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Nawada in connection with Excise P.S. Case No. 47 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 physically 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)

uday/-

U		T	
---	--	---	--

