

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52130 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- BARHIYA District- Lakhisarai

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Gulsan Kumar @ Gulsan Singh S/O Ram Subhag Singh R/O Village-
Kanhaipur, P.S.- Mokama, District- Putna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvan Kumar, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 01-04-2022 The applicant is accused in Crime No. 69 of 2021 registered with Barahiya 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.

The learned Additional Public Prosecutor opposed the application by contending that evidence against the applicant is only that of statement of co-accused Sintu Kumar made to the police which is to the effect that consignment of illicit liquor belongs to the applicant.

According to the prosecution case, police found



liquor in huge quantity being unloaded from the truck. Police was successful in apprehending an accused, namely, Sintu Kumar, who was unloading the illicit liquor from the truck. He stated that the consignment belongs to the applicant. Despite query, the learned Additional Public Prosecutor is unable to point out any other evidence to connect the applicant with the crime in question. The applicant is reported to be not any criminal antecedent.

In this view of the matter, 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. 69 of 2021 registered with Barahiya 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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