

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48224 of 2022**

Arising Out of PS. Case No.-331 Year-2019 Thana- PATORI District- Samastipur

=====

Ritesh Singh @ Ritesh Kumar Singh Son Of Late Krishan Murari Singh @  
Murari Singh R/O Village- Asharafpur Supaul, P.S.- Patori, District-  
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Nityanand, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

=====

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      11-11-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with  
Patori (Shahpur Patori) P.S. Case No. 331 of 2019 lodged under  
Sections 272, 273, 34 of the I.P.C. read with Section 30(a) of  
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the total recovery of 5464  
litres wine is subject matter of this case.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that the alleged recovery was made at two places, one is

at truck and second is in the poultry farm. Learned counsel further submits that this poultry farm was in use of the petitioner and also by his brother. His brother was also accused in this case and petitioner's name has also come in this case. Though petitioner's antecedent is clean and he is in custody since 30.07.2022. Charge sheet has already been filed in this case. Learned counsel further submits that vide Annexure-2 Series, the brother of the petitioner and others who are directly relating to truck are granted bail by the Co-ordinate Bench of this Court vide order dated 24.01.2020, 18.12.2019, 27.11.2019, 14.10.2019, 23.10.2019 passed in Cr. Misc. No. 5159 of 2020, Cr. Misc. No.68499 of 2019, Cr. Misc. No. 69390 of 2019, Cr. Misc. No. 61859 of 2019 and Cr. Misc. No. 67667 of 2019 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-2, Samastipur in connection with Patori (Shahpur Patori) P.S. Case No. 331 of

2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

prakashmani/-

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