

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50525 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- CHANDRAMANDI District- Jamui

Sandeep Kumar Singh @ SANDIP KUMAR Son of Sachit Singh Of resident
Village - Dighi, P.S.- Itkhori, District - Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 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
Chandramandi P.S. Case No. 153 of 2021 lodged under Sections
272, 273 of the I.P.C. and 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per the prosecution case, total recovery of 3600
liter of spirit is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 09.06.2022 having 2
criminal cases pending against him, in which he is on bail in one

case and in another case, he is persuading for bail. He also submits that petitioner was not apprehended from the place of occurrence nor the recovery was made from his possession. He submits that petitioner's name has been figured in this case by the virtue of confessional statement of the co-accused, who is the driver of the truck. There is violation of Section 100 of the Cr.P.C. in preparation of seizure list.

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, Court-1, Jamui in connection with Chandramandi P.S. Case No. 153 of 2021, 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)

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