

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50257 of 2022**

Arising Out of PS. Case No.-84 Year-2021 Thana- TETERHAT District- Lakhisarai

=====

Anil Singh @ Anil Kumar Singh S/O Late Janakdeo Singh Resident of Plot No- 162, Cooperative Colony, Bokaro Steel City, P.S.- Bokaro Steel City, District- Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

=====

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

2      14-10-2022                      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.

The petitioner seeks regular bail in connection with Tetrahat P.S. Case No. 84 of 2021 lodged under Section 30(a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, total 784.800 liters was recovered from the Bolero pickup in the present case.

Learned counsel for the petitioner submits that petitioner has not been named in the F.I.R. and his name has been figured in this case by virtue of supervisory authority, here only and only connection is that, the wrapper on the recovered

wine is related to the company of which petitioner is one of the directors. Learned counsel further submits that petitioner's company is functioning in Jharkhand, where wine sale is legal. He further submits that petitioner is nowhere involved in selling of wine.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 19.05.2022 having 8 criminal cases pending against him but in all the cases his name has been figured on the basis of wrapper. And petitioner is nowhere directly or indirectly involved in the commission of the crime under the Excise Act.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V-cum-Exclusive Special Court II, Excise Act, Lakhisarai in connection with Tetrahat P.S. Case No. 84 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.)**

ashishsingh/-

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