

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51618 of 2022

Arising Out of PS. Case No.-450 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Jari Singh @ Ajit Singh Son of Dhruv Singh R/V- Janjirha, P.O- Janjirha, P.S-
Bankata, Dist- Deoria (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Siwan Muffasil P.S. Case No. 450 of 2022
registered for the alleged offences under Sections 30(a), 41(1)
and 45 of the Bihar Prohibition and Excise (Amendment) Act,
2018 and Section 27 of the Arms Act.

As per prosecution case, police received secret
information about a vehicle carrying huge quantity of illicit
liquor. When the police tried to intercept the Scorpio vehicle,
the driver of the Scorpio managed to escape from the spot.
Three people on a motorcycle were escorting the Scorpio, out of



which two of them managed to escape by opening fire upon the police and the third one was apprehended. Total 315 litres of country made liquor was recovered from the said car. The petitioner is said to be the owner of the seized liquor.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is neither the owner of the said vehicle nor of the allegedly recovered articles. The name of the petitioner transpired in this case on the basis of the confessional statement of the co-accused who stated that the liquor belonged to the petitioner and Shiv Kumar Yadav. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has been made accused only due to village politics. The petitioner is in custody since 18.08.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that petitioner is a habitual offender and a number of cases are pending against him.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering that no recovery has been shown from this petitioner and further considering his period of custody along with the submission of charge-sheet, the petitioner above named



is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-2, Siwan in connection with Siwan Muffasil P.S. Case No. 450 of 2022, subject to the other conditions under Section 437(3) of the Cr.P.C. and following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

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

