

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62822 of 2021

Arising Out of PS. Case No.-567 Year-2021 Thana- KANTI District- Muzaffarpur

PRINCE SINGH @ CHHOTU @ PRINCE KUMAR Son of Shambhoo
Singh Resident of Village - Kaparpura, P.s.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

with

CRIMINAL MISCELLANEOUS No. 64265 of 2021

Arising Out of PS. Case No.-298 Year-2021 Thana- KANTI District- Muzaffarpur

PRINCE SINGH @ CHHOTU @ PRINCE KUMAR Son of Shambhoo
Singh Resident of Village - Kaparpura, P.S.- Kanti, Dist.- Muzaffarpur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62822 of 2021)

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the State : Mr. Harendra Prasad, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 64265 of 2021)

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the State : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 24-01-2022 The applicant/accused is seeking bail in following
cases:

- (a). Crime No.567 of 2021 registered with Police
Station-Kanti for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise
Act 2016-18 on 08.09.2021.



(b). Crime No.298 of 2021 registered with Police Station-Kanti for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act 2016-18 on 17.04.2021.

The applicant is given out of turn hearing on the basis of his statement in the precipi that marriage of his sister is scheduled to be held on 24.01.2022.

The learned counsel appearing for the applicant argued that in Crime No.567 of 2021, the recovery of illicit liquor was from the house of one Pramod Thakur but the applicant has falsely been implicated in that case. It is further argued that in another crime the applicant was not even apprehended from the spot or after registration of the crime on 17.04.2021. On the contrary, after arrest of the applicant in Crime No.567 of 2021, his custody is transferred in another crime. It is further argued that the investigation of the crime in question is over and except these two crimes the applicant is not having any criminal antecedents.

On the basis of the counter affidavit of the Investigating Officer, the learned A.P.P. vehemently opposed the applications by contending that from the possession of the applicant illicit liquor of 808.560 liters and 698.400 liters came to be seized. It



is further argued that the applicant is big dealer in the trade of illicit liquor.

I have considered the submissions so advanced and also perused the materials placed before me.

So far as Crime No.567 of 2021 is concerned, it is case of the prosecution that on the basis of secret information that co-accused Pramod Thakur is indulged in the trade of illicit liquor his house came to be raided. Said Pramod Thakur along with the present applicant and another co-accused came to be arrested on the spot from the said house. Illicit liquor of 808.560 liters quantity came to be seized.

So far as Crime No.298 of 2021 is concerned, according to the prosecution case, there was secret information regarding trade of illicit liquor by the applicant and other co-accused and therefore on 17.04.2021, a bus came to be intercepted from which 8-9 persons ran away. Two persons came to be apprehended and they told the police that one of the persons who flee away from the spot was the applicant. From that bus illicit liquor of 698.400 liters came to be seized.

It is not in dispute that the investigation of the crime in question is over. The applicant has no criminal antecedents except these two crimes registered against him. As the



chargesheets are already filed in both the crimes, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The applications are allowed.

(ii). The applicant/accused in Crime No.567 of 2021 registered with Police Station-Kanti for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act 2016-18 on 08.09.2021 and in Crime No.298 of 2021 registered with Police Station-Kanti for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act 2016-18 on 17.04.2021, is directed to be released on bail on executing P.R. bond of Rs.15000/-(Rupees Fifteen Thousand) and on furnishing two sureties of the like amount to the satisfaction of the trial court in each crime with the following conditions.

(I). The applicant should attend the concerned Police Station on 2nd and 4th Sunday of every month in between 11.00 A.M. to 02.00 P.M. Failure to abide by this condition shall make the prosecution entitlement for getting bail granted to the applicant cancelled.

(II). The applicant should not extend any threat, promise or 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.

(III). The applicant should cooperate the trial in
expeditious disposal of the trial against him.

(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)

P.S./-

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