

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62731 of 2021

Arising Out of PS. Case No.-300 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Umesh Prasad Singh @ Umesh Singh Son of Late Nageshwar Singh Resident
of Village- Jaya, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 16-02-2022 The applicant is given out of turn hearing on account
of marriage of his son.

The applicant is accused in Crime No. 300 of 2021 registered with Gaighat Police Station for the offences punishable under Sections 272, 273, 414 read with Section 34 of the Indian Penal Code as well as Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act. By this application he is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

On the basis of secret information, police raided the house of the applicant and apprehended the applicant as well as co-accused Sujit Kumar who were in front of the said



house. From the said house as well as the motorcycle, illicit liquor of 111.750 liters of quantity came to be seized.

It is reported that the applicant is not having any criminal antecedent. Investigation of the subject crime is over. The applicant was arrested on 01.09.2021 and since then he is in custody. Hence, I see no reason to refuse bail to the applicant and therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 300 of 2021 registered with Gaighat Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of 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.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.



(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)

Mkr./-

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