

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 62968 of 2021**

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

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SUJEET KUMAR SINGH Son of Late Ram Shankar Singh Resident of
Village- Bhusra, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Hemant Kumar, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Gaighat Police Station (for
brevity, *PS*) Case No 300 of 2021 registered for the offence
punishable under Sections 272, 273, 414/34 of Indian Penal
Code and Sections 30 (a), 36, 41 (i) of Bihar Prohibition and
Excise Act.

111.750 liters of illicit foreign liquor has been
recovered from the house of co-accused Umesh Prasad Singh.
Petitioner, as per prosecution case, has been arrested from the
house from which recovery has been made.

It is submitted by the petitioner's counsel that he has



become victim of the circumstance. The alleged recovery is from the house of co-accused and he is in custody since 01.09.2021, even though investigation is complete. The petitioner has one criminal antecedent, as per disclosure made in paragraph 3 of the petition.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in Gaighat PS Case No 300 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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