

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63159 of 2021**

Arising Out of PS. Case No.-76 Year-2021 Thana- BARAULI District- Gopalganj

Megha Singh @ Subhash Singh, S/o Late Bhola Singh R/o village- Bagheji,
P.S.- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-03-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

The petitioner seeks bail in connection with Barauli P.S. Case No.76 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

The prosecution case in short is that 342 liters of country made wine has been recovered near Rampur Baghechi Dhamai river, which was kept in 38 cartoons.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case only on the basis of suspicion. Learned counsel for the petitioner further submits that nothing has been recovered from



the conscious possession, rather the recovery has been made from three different places. He further submits that charge sheet has been submitted against the petitioner and is in custody since 10.08.2021.

Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner carries two more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ind-cum-Special Judge, Excise, Gopalganj in connection with Barauli P.S. Case No.76 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan /-

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