

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63422 of 2021**

Arising Out of PS. Case No.-297 Year-2021 Thana- GOGRI District- Khagaria

Sudama Singh, Son of Chhotelal Singh, Resident of Village - Chhoti Maira,  
P.S.- Gogri (Paura), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      30-05-2022                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with Gogri  
(Paura) P.S. Case No.297 of 2021 registered for the offence  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

Five litres illicit liquor has been recovered from the  
courtyard of the petitioner's house, as per the allegation. The  
petitioner is in custody since 09.08.2021.

Counsel submits that it is a case of false  
implication. Recovery is not in presence of any independent  
witness. He has one antecedents, as per disclosure in paragraph  
3 of the bail application. In that case, there is alleged recovery  
of one litre illicit liquor from the petitioner's possession.



Investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, quantum of recovery, period of custody and the fact that the investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Special Judge (Excise), Khagaria, in connection with Gogri (Poura) P.S. Case No.297 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

**(Madhuresh Prasad, J)**

PNM

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