

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65081 of 2021**

Arising Out of PS. Case No.-220 Year-2021 Thana- SARAIYA District- Muzaffarpur

Prahlad Singh S/o Balmiki Singh R/o Village Pokhraiya, Gidha, P.S. Saraiya,
Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 28-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioner seeks bail in
connection with Saraiya (Jaitpur O.P.) P.S. Case No. 220 of
2021 registered for the alleged offences under Sections 272,
273, 34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution of the case is that on secret information
that the petitioner and other co-accused persons were about to
receive a lager consignment of illicit liquor, the police party
captured a Pick-up van and recovered 1088.640 liters of illicit
liquor. The petitioner and other co-accused persons fled away



from the spot.

Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged recovery. Nothing has been recovered from his conscious possession. The petitioner was not apprehended from the spot. The petitioner has been made accused in a number of cases and this is due to high handedness of police which implicates the petitioner in other cases from time to time. The petitioner is in custody since 09.09.2021

Learned A.P.P. for the State has opposed the prayer of bail made on behalf of the petitioner and submits that large quantity of illicit liquor has been recovered and the petitioner is involved in the trade of illicit liquor and is having a number of criminal cases pending against him which are for similar offences.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and he is in custody since 09.09.2021, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection



with Saraiya (Jaitpur O.P.) P.S. Case No. 220 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every day fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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