

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65436 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- GOPALPUR District- Gopalganj

Sunil Singh, Son of Osiyar Singh, Resident of Village-Ahirauli Tola, P.S.-
Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 31-05-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioners seeks bail in connection with
Gopalpur P.S. Case No.87 of 2020 registered for the offence
punishable under Sections 188, 269, 270, 272, 273, 420 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

Upon secret information regarding bringing of a
consignment of illicit liquor from Uttar Pradesh, the police have
reached the village to verify the allegations and stopped several
vehicles, leading to recovery of 700.870 litres illicit liquor.

Counsel for the petitioner submits that from the
motorcycle of the petitioner, there is alleged recovery of 61.200
litres illicit liquor. He has not been arrested at the place of



occurrence and is in custody since 22.08.2021 in connection with this case while he was on bail in three cases pending against him since before as disclosed in paragraph 3 of the bail application.

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

Considering the rival submissions, quantum of recovery as also the period of custody and submission regarding investigation being complete, viewed with the fact that the petitioner has not been arrested at the place of recovery, 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 learned Additional Sessions Judge-II-cum-Special Judge (Excise), Gopalganj, in connection with Gopalpur P.S. Case No.87 of 2020, 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)

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