

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 65443 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- BHAGWAN BAZAR District- Saran

AKASH KUMAR SINGH Son of Manoj Singh Resident of Village and P.O.-
Ekai, P.S.- Revelganj, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr Khurshid Anwar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 01-06-2022 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 Bhagwan Bazar Police
Station (for brevity, PS) Case No 30 of 2021 dated 19.01.2021
registered for the offence punishable under Section 30 (a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

On receiving information that there is trade of illicit
liquor going on, police have reached the place from where 3
persons, namely, Sohrab, Sunil Prasad and Arvind Kumar have
been apprehended. They have stated the name of the petitioner
as being one who fled away. 65 liters country made wine has
been recovered from the said place.



Petitioner's counsel submits that the petitioner is in custody since 18.02.2021. His implication is based on statement of co-accused after their arrest. He bears a clean antecedent and investigation is complete.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, quantum of recovery and period of custody and the fact that investigation is complete, 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 Additional Sessions Judge II -cum- Special Judge, Excise, Saran in Bhagwan Bazar PS Case No 30 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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