

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55908 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

Shakti Kumar Singh @ Mithun Singh @ Shakti Singh @ Mithen Singh Son
of Dina Nath Singh Resident of village - Kukuraha, P.S.- Agion Bazar,
District - Bhojpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Mohan Ray, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Ara Muffasil P.S. Case No. 234 of 2022 lodged under Sections
467, 468, 471, 420 of the I.P.C. read with Sections 30(a), 32(iii)
of Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total recovery of 569 litre
foreign liquor has been made, which is the subject matter of the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is neither owner nor driver of the vehicle.

He is a nearby passenger and one person who was sitting on the vehicle known to the petitioner and requested him to stop and talking took place between them. Counsel submits that the seizure list shows that there is no signature of the petitioner on the seizure list. Counsel further submits that petitioner has one antecedent which is not related to excise matter in which he is on bail. Counsel for the petitioner submits that petitioner is in custody since 20.07.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1st Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 234 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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