

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66521 of 2021**

Arising Out of PS. Case No.-258 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

Anup Singh S/O Arjun Singh R/o village- Vrindavan, P.S.- Ratu, District-
Ranchi, Jharkhand

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-05-2022 Heard counsel for the parties.

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

The petitioner is in custody in connection with
Excise Case No. 258 of 2021 instituted under section 30(a),
56(b) of the Bihar Prohibition & Excise (Amendment) Act,
2018.

As per the prosecution story, the police upon
information, intercepted a vehicle and on search 95 bottles of
foreign liquor each 750 ml. totalling 71.250 were seized. The
petitioner was arrested from the spot.

The learned counsel for the petitioner submits that



he is neither owner nor driver of the vehicle rather a passer-by who was picked by the police.

Considering the fact that charge-sheet has been submitted and the petitioner is in custody since 21.9.2021(as stated in para-10 of the bail application); this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II-Cum-Special Judge, Excise, Gaya, in connection with Excise Case No. 258 of 2021 subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

