

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68558 of 2021**

Arising Out of PS. Case No.-170 Year-2021 Thana- ISUAPUR District- Saran

ANIL SINGH Son of Late Sakaldev Singh Resident of Village - Gangoi, P.S.
Ishaupur, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh
For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 22-04-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 31.08.2021,
seeks regular bail in connection with Ishuapur P.S. Case No. 170
of 2021, for the offence punishable under Sections 30, 30(a),
27(b)(c) of Bihar Excise Act, 2016.

The allegation is of recovery of 15 litres of country
made liquor from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been
implicated in this case. He further submits that nothing has been
recovered from the possession of the petitioner. The petitioner is



in custody since 31.08.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that petitioner is habitual criminal, who is involved in several excise cases earlier to the present case as such he does not deserve to be released on bail.

Considering the nature of allegation as well as the period of custody undergone, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned A.D.J-II-cum-Special Judge, Excise, Saran at Chapra in connection with Ishuapur P.S. Case No. 170 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature



of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The Court below is directed to verify the criminal antecedent of the petitioner and if the petitioner is found accused in any other case, as mentioned in paragraph No.3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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