

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59580 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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Anil Singh @ Anil Kumar Singh Son of Late Janakdeo Singh R/o Plot No. 162, Cooperative Colony, Bokaro Steel City, P.S- Bokaro Steel City, Dist- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Ms. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-12-2022 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Gaighat P.S. Case No. 351 of 2021, registered for the offences punishable under Section 272, 273, 414, 420, 467, 468, 471/34 of the Indian Penal Code and Section 30(a), 36, 41 (i) of the Bihar Prohibition and Excise Act.

As per allegation, 781.500 liters of liquor has been recovered from two vehicles bearing Registration No. BR06G-1028 and BR05PA-6321.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the petitioner is neither named in the FIR nor arrested on the spot. He also submits that the name of the petitioner has been dragged in this case only on account of his liquor manufacturing company in Jharkhand. He also submits that co-accused, namely, Anil Singh, has been enlarged on bail by the co-ordinate Bench of this Court vide order dated 20.08.2022, passed in Cr. Misc. No. 34659 of 2022.

The petitioner has been languishing in jail since 26.07.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in twelve more cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Exclusive Special Judge, Excise No.1, Muzaffarpur in connection with Gaighat P.S. Case No. 351 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal



antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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