

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70411 of 2021

Arising Out of PS. Case No.-353 Year-2021 Thana- GORAUL District- Vaishali

Kaushal Kishore Singh Son of Late Dani Singh R/O Village- Rasulpur
Korigaon, P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 29-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Goraul
P.S. Case No. 353/2021 registered for the offences punishable
under Sections 272, 273, 420, 467, 468, 471/34 of the Indian
Penal Code and Sections 30(a) / 32(1) /32(3)/ 36/ 41(1)/ 41(2)
of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery of
total 2714.040 liters of foreign liquor from truck in question as
well as pick up van. The petitioner alongwith other co-accused
persons alleged to be participated in the alleged supply of illicit
liquor.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to political rivalry. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 30.10.2021 and the petitioner bears criminal antecedent of two cases of similar nature, in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering the evidence. The co-accused has been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.10810/2022.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that alleged huge recovery of illicit liquor.

Considering the facts and circumstances of the case as well as period of custody, charge sheet has already been submitted, petitioner was not apprehended on spot and taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge II cum Excise Court, Vaishali at Hajipur in connection with Goraul P.S. Case No.



353/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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