

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71970 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- PUNPUN District- Patna

Prince Kumar @ Bhim Kumar S/O Sanjay Singh @ Sanjay @ Guddu Singh
Resident of Pothahi, P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-05-2022

Heard learned counsel for the parties.

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

The petitioner is in judicial custody in connection
with Special Case No. 2173 of 2020 arising out of Punpun P.S.
Case No. 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The allegation in the FIR is that the police upon secret
information that this petitioner is in the business of selling
liquor went to the place and it is alleged that out of two persons
there, while one of them was able to escape, the other one was
apprehended. He gave his name as Ashish Kumar and further
stated that the person who has escaped is Prince Kumar @ Bhim
Kumar (the petitioner herein). Upon search, around 17 liters of



foreign liquor was recovered/seized.

Considering the fact that the petitioner is in custody since 30.09.2021 (as stated in paragraph-13 of the bail application) and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail. However, as the petitioner has criminal antecedent of the same nature strict conditions are necessary to be imposed.

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 Special Judge, Excise, Patna in connection with Special Case No. 2173 of 2020 arising out of Punpun P.S. Case No. 69 of 2020, subject to the following conditions.

(i) both 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 in any 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 till the conclusion of the trial 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)

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