

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56514 of 2022**

Arising Out of PS. Case No.-77 Year-2022 Thana- MUSRIGHRARI District- Samastipur

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Pintu Kumar Singh S/o Devendra Prasad Singh @ Mishri Singh R/o Village-  
Fatehpur, P.S.- Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 65292 of 2022**

Arising Out of PS. Case No.-77 Year-2022 Thana- MUSRIGHRARI District- Samastipur

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Surendra Das Son of Yugeshwar Das Resident of village - Motipur, P.S.-  
Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 56514 of 2022)

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Shailendra Kumar

(In CRIMINAL MISCELLANEOUS No. 65292 of 2022)

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**

**ORAL ORDER**

4     29-11-2022                      Heard Ld. counsel for the petitioner and learned  
APP for the State.

The petitioners seek bail in connection with Musrigharari P.S. Case No. 77 of 2022 (Excise G.R. No. 385 of 2022), registered for the offences punishable under Sections 30 (a), 41(i)(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per allegation, 2646 liters of Indian made foreign liquor has been recovered from an Oil Tanker bearing Registration No. WB33B 6746.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that nothing has been recovered from the conscious possession of the petitioners.

The petitioners, namely, Pintu Kumar Singh and Surendra Das, have been languishing in jail since 27.07.2022 and 23.09.2022 respectively.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved earlier for grant of



anticipatory bail or regular bail before this Court in the instant matter.

It has further been stated in paragraph no. 3 of the petition that the petitioners, namely, Pintu Kumar Singh, in Cr. Misc. No. 56514 of 2022 and Surendra Das, Cr. Misc. No. 65292 of 2022 have been made accused in five and six other cases respectively.

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

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Special Judge, Excise Court No.1, Samastipur in connection with Musrigharari P.S. Case No. 77 of 2022 on the following conditions:

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



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

(iii) The petitioners 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 petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their 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 petitioners.

The application stands allowed accordingly.



The learned counsel for the petitioners 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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