

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1974 of 2023

Arising Out of PS. Case No.-246 Year-2018 Thana- MANIYARI District- Muzaffarpur

RAKESH KUMAR SINGH S/O DEVENDRA SINGH R/v- Muksudpur, P.S.-
Maniyari, District- Muzaffarpur Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending arrest in connection
with Maniyari P.S. Case No. 246 of 2018 under sections 147,
148, 149, 341, 323, 307,353, 332, 427, 504, 506 of the Indian
Penal Code and 30(a)/38/41 of Bihar Prohibition and Excise
Act.

As per the prosecution story, the police received
information that English wine in huge quantity was stored in
thatched Baithka of Baliram Singh. Accordingly, the proceeded
the place of occurrence and recovered/seized 670 liters of
foreign liquor.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in the present. It is further submitted that the petitioner has got no criminal antecedent as stated in para-3 of the bail application. It is also submitted that there is no recovery from the conscious possession of the petitioner. It is further submitted that some of the co-accused persons have been granted bail by co-ordinate benches of this Court.

It has further been submitted that the petitioner is ready to deposit a sum of Rs. 25,000/- in the Account No. 1413010060836 of Patna High Court Legal Services Authority.

Taking into account the aforesaid fact as also the petitioner do not have criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.II, Muzaffarpur, in connection with Maniyari P.S. Case No. 246 of 2018 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

(i) one 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 co-operate in the investigation and make himself available to the police as and when required;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) 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.

(Rajiv Roy, J)

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