

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3875 of 2023**

Arising Out of PS. Case No.-51 Year-2021 Thana- KALER District- Jehanabad

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MUNNA SINGH @ RANJIT KUMAR SINGH Son of Dhrubnath Singh  
Resident of Village- Mahana, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar,Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      26-04-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
12.11.2022 in connection with Kaler P.S. Case No. 51 of 2021,  
F.I.R. dated 04.08.2021 registered for the offence punishable  
under Sections 30(a),41 of Bihar Prohibition and Excise Act.

Recovery is of 5200 liters of spirit.

Learned counsel appearing for the petitioner submits  
that the petitioner has falsely been implicated in the present case  
on the basis of the disclosure made by the driver of the truck in  
question, namely, Indal Kumar. Further submits that from bare  
perusal of the FIR as well as the seizure list that nothing has  
been recovered from conscious possession of the petitioner  
rather the recovery of illicit spirit has been made from the truck



in question and the petitioner has no concern at all with the alleged recovery of illicit spirit and the petitioner is neither the driver nor the owner of the truck in question and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.11.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries five more cases other than the present one but fairly submits that out of five cases, the petitioner is on bail in two cases and rest three cases are pending for consideration, as mentioned in para-3 of the bail petition.

Considering the aforesaid fact, nothing has been recovered from possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Jehanabad in connection with Kaler P.S. Case No. 51 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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