

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11938 of 2023

Arising Out of PS. Case No.-610 Year-2022 Thana- TAJPUR District- Samastipur

KISHOR SINGH Son of Dhan Singh Resident of village - Wahalgadh, P.S.-
Rai, District - Sonipat, State - Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Tajpur
P.S. Case No. 610 of 2022 registered for the offences punishable
under Sections 272, 273, 420, 467, 468, 471, 34 of the IPC and
Section 30(a), 32(1), 32(2), 36,41(1), 41(2) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

As per prosecution case, 501.84 liter foreign liquor
was recovered from the container truck in question and
petitioner alongwith other apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody 16.12.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution



evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, (Excise)-02, Samastipur in connection with Tajpur P.S. Case No. 610 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of 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 without appropriate permission, 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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