

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29470 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- PARWALPUR District- Nalanda

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SHAILENDRA KUMAR @ KARU SINGH SON OF SURESH SINGH
RESIDENT OF VILLAGE- BANA BIGHA, PS- PARWALPUR DISTT-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lovekush Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Parwalpur P.S. Case No. 52 of 2023 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, total 14.940 liter foreign
liquor was recovered from the house of co-accused Naresh
Sharma. Petitioner, being the care taker of co-accused Dr.
Naresh Sharma, apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody 29.03.2023 and bears five criminal
antecedents out of which one case is of similar nature. Learned



counsel further submits that the petitioner is innocent and has falsely been implicated in the present and nothing has been recovered from the conscious possession of the petitioner.

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, 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 after framing of charge, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned 4th Additional District & Sessions Judge Cum Spl. Judge (Excise) II Nalanda (Biharsharif) in connection with Parwalpur P.S. Case No. 52 of 2023, 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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