

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54766 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- BASOPATTI District- Madhubani

Umed Singh Son Of Shyam Sundar Singh Resident Of Village Mehtarpatti,
Ps- Basopatti, Dist- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Basopatti P.S. Case No.156 of 2023 instituted under Section 272,273 of the IPC and 30(a) of Bihar Prohibition and Excise Act lodged on 08.07.2023 by the informant Madhu Kumar Singh.

As per the prosecution story, during patrolling duty, the police intercepted a motorcycle loaded with bag from which 90 liters of liquor recovered. The person was arrested, motorcycle seized. Accordingly, the FIR.

It is the case of the petitioner that due to enmity, the police has implicated him, no such recovery was there, has remained in custody since 09.07.2023 (para-18 of the petition) and do not have criminal antecedent.

Learned APP opposes the prayer for bail.



Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that he do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Basopatti P.S. Case No.156 of 2023 to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) 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 bail bond by the Trial court itself;

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

(iv) 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;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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