

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62701 of 2022**

Arising Out of PS. Case No.-77 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

Surendra Singh, aged about 45 years, male, Son of Late Ramchandra Singh
R/V- Charo, Ward No. 11, P.S- Warisnagar, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 13-01-2023 This matter has been taken up today for consideration through
video conferencing.

Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Excise Case No.
77 of 2020 registered for the offence punishable under Section 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

From the cow shed within the petitioner's premises, there is
alleged recovery of 8.250 litres (eight litres and two hundred fifty
millilitres) illicit Indian made foreign liquor.

It is submitted that petitioner has falsely been implicated in
this case on account of his criminal antecedents, as per disclosure
made in paragraph No. 3. The recovery is from a cow shed,
accessible to one and all, for which petitioner cannot be held
responsible. He is in custody since 29.08.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, nature
of allegation, and the fact that investigation is complete, this Court,



for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 the learned Special Judge Excise Court-02, Samastipur, in connection with Excise Case No. 77 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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