

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 67457 of 2022**

Arising Out of PS. Case No.-151 Year-2021 Thana- RANIYATALAB District- Patna

VIJAY SINGH @ VIJAY KUMAR SINGH SON OF TAPESHWAR SINGH
RESIDENT OF VILLAGE- SONVARSHA, P.S.- NABINAGAR, DISTRICT-
AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Rama Kant Singh, Advocate
For the Opposite Party/s : Mr Md Nazir Ansari, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-02-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Ranitalab Police Station (for brevity, **PS**) Case No 151 of 2021 dated 12.08.2021 registered for the offence punishable under Sections 467, 468, 420/34 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

8200 liters spirit has been recovered from the truck in question. The petitioner's name has been stated by one co-accused Jai Kishore Rai that he was assisting Sitaram Yadav, Bhola Rai and Ashok Choudhary in carrying on liquor manufacture and trade.

Learned counsel for the petitioner submits that the petitioner is implicated in this case on account of his several criminal antecedents of similar nature, though he has no concern with the truck. He was neither arrested at the spot from where recovery was made nor there is any recovery from his possession. He is in custody since 02.03.2022. He is on bail in some of the cases pending against him. Investigation is complete. Co-accused Sita Ram Yadav @



Baba @ STR, Bhola Rai and Ajay Rai @ Ajay Kumar @ Virjodhan Ray have already been granted bail by this Bench by orders dated 06.01.2023 and 20.01.2023 passed in Cr Misc No 61133 of 2022, Cr Misc No 63477 of 2022 and Cr Misc No 62453 of 2022 respectively.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery, nature of allegation, period of custody 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 is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Excise Court, Danapur, Patna in Ranitalab PS Case No 151 of 2021, 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.

(Madhuresh Prasad, J)

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