

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60567 of 2022

Arising Out of PS. Case No.-422 Year-2022 Thana- BIHTA District- Patna

Ajay Kumar Singh @ Guddu Singh, male, aged about 50 years, S/O Sri Rana Ranjeet Singh Resident of Mohalla- Naya Tola Madhopur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anand Kumar, Adv.

For the State : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 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 Special Excise Case No. 673 of 2022, arising out of Bihta P.S. Case No. 422 of 2022, registered for the offence punishable under Sections 30(a)/41(1)/36 and 32 (ii) (iii) of the Bihar Prohibition and Excise Amendment Act, 2018.

Since 28-07-2022, the petitioner is stated to be in custody. His implication is based on statement of a person, who was apprehended from a vehicle, from where 50.300 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that even as per prosecution case, he was not in the vehicle nor there is any recovery of illicit liquor from him. The petitioner is on bail in the earlier two cases pending against him since before.



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

Considering the rival submissions, 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 Act), Patna, in connection with Bihta P. S. Case No. 422 of 2022, Special Excise Case No. 673 of 2022, 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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