

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62890 of 2022

Arising Out of PS. Case No.-479 Year-2022 Thana- PIRO District- Bhojpur

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INDERADEO SINGH S/O LATE SUDHAN SINGH @ LATE SUBHAM
SINGH Resident of village- Hankar Tola, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Piro P.S.
Case No. 479 of 2022 registered for the offences punishable
under Sections 30(a), 36, 37 of the Bihar Prohibition and Excise
Amendment Act.

As per prosecution case, there is alleged recovery of
50 liter Mahua wine from the place of occurrence. Petitioner is
apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 27.08.2022. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in
the case and there is no likelihood of tampering with the
prosecution evidence. Learned counsel further submits nothing



has been recovered from the conscious possession or personal possession of the petitioner. Seizure list has not been made as per law. Petitioner is innocent and has falsely been implicated in the present case.

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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence as submitted, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned special Excise Court – II, Bhojpur at Ara in connection with Piro P.S. Case No. 479 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or 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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