

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64167 of 2023

Arising Out of PS. Case No.-379 Year-2023 Thana- MASHRAK District- Saran

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Sunil Singh @ Sunil Kumar Singh Son Of Late Ram Bela Singh Resident Of
Village- Gangauli Dakshin Tola, PS- Mashrakh, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raushan Raj, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-10-2023 Heard Mr. Raushan Raj, learned counsel appearing on

behalf of the petitioner and learned Additional Public Prosecutor

for the State.

2. The petitioner apprehends his arrest in connection

Mashrakh P.S. Case No. 379 of 2023, registered for the offences

punishable under Section 30(a) of Bihar Prohibition and Excise

Act.

3. The police on a secret information, regarding

paddling of spirit, conducted raid. In course of search, 1375

litres spirit is said to have been recovered from the agriculture

field of co-accused Nagendra Singh. It is further alleged that

noticing the police party, the accused persons succeeded in



fleeing away.

4. It is submitted on behalf of the petitioner that admittedly the alleged recovery of illicit spirit has been made from the field of Nagendra Singh and the petitioner has neither any concern with the field nor with the recovered illicit spirit. He further submits that save and except the suspicion that too without any cogent material, there is nothing against the petitioner. That apart, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from the Dalan and the agriculture field of co-accused Nagendra Singh to which the petitioner has no concern, coupled with his fair antecedent and the other infirmities in the search and seizure, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
2nd Exclusive Special Excise Judge, Saran at Chapra in
connection with Mashrakh P.S. Case No. 379 of 2023, subject to
the conditions laid down in Section 438(2) Cr.P.C. with the
further condition that one of the bailors shall be the own/close
family members of the petitioner.

(Harish Kumar, J)

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