

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69397 of 2022

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

RADHESHYAM SINGH Son of Late Ram Sakal Singh R/v- Kalyanpur, P.S.-
Karagahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69430 of 2022

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

CHANDAN KUMAR @ CHANDAN SINGH S/o Sri Kamta Singh R/o
Village and P.O.- Babhani, P.S.- Kargahar, Distt- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69876 of 2022

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

MARKANDEY SINGH @ MARKANDEY YADAV S/O Sudama Yadav R/O
Village- Kharagpura, P.S- Kargahar, District- Rohtas at Sasaram



... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 6398 of 2023

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

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GUDDU SINGH @ GUDDU KUMAR SINGH @ GUDDU CHAUDHARY
S/O RAJENDRA SINGH R/v- Kapasiya, P.S.- Kochas, District- Rohtas
(Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dev Narayan Paswan, Inspector of Police Economics offences unit Bihar,
Patna, Kaimp-Fajalganj Chauk Modal Police Station, Sasaram, Mob.
9955262888, Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 69397 of 2022)

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

(In CRIMINAL MISCELLANEOUS No. 69430 of 2022)

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

(In CRIMINAL MISCELLANEOUS No. 69876 of 2022)

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Bishweshwar Ram

(In CRIMINAL MISCELLANEOUS No. 6398 of 2023)



For the Petitioner/s : Mr.Saroj Kumar
For the Opposite Party/s : Mr.Vishwanath Pd. Sinha

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-02-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Sasaram (Mondal) P.S. Case No. 112 of 2017, registered for the offences punishable under Sections 420 of IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation total 2581.920 liters of liquor has been recovered from place of occurrence.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the possession. He also submits that search and seizure has not been made as per the procedure as prescribed under Section Cr. P.C.

He further submits that the petitioner, namely, Radheshyam Singh has been languishing in jail since 20.10.2022 and the petitioners, namely, Chandan Kumar @



Chandan Singh and Markandey Singh @ Markandey Yadav have been 31.08.2022 and the petitioner, namely, Guddu Singh @ Guddu Kumar Singh has been languishing in jail since 20.12.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner, namely, Radheshyam Singh has been made accused in four other cases and the petitioners, namely, Chandan Kumar @ Chandan Singh, Markandey Singh @ Markandey Yadav and Guddu Singh @ Guddu Kumar Singh have been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with



two sureties of the like amount each to the satisfaction of
Ld. 2Nd Additional Sessions Judge-Cum-Special Judge, Excise
Act, Rohtas, Sasaram in connection with Sasaram (Mondal)
P.S. Case No. 112 of 2017 on the following conditions:

(i) The petitioners will make themselves available
for interrogation by a police officer/court as and when
required.

(ii) The petitioners will undertake that
investigation/trial will not get hampered on account of their
absence or non-cooperation. They must be available to the
police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the court or to any police
officer.

(iv) In case, it is brought to the notice of the court
below that the petitioners have criminal antecedents other
than the disclosed one, Ld. court below shall cancel the bail
bonds of the petitioners after hearing them and getting



satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(vi) In case, the petitioners repeat offence of similar nature after enlargement on bail, their bail-bond will be cancelled by the court below.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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