

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64518 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- CHACKMEHSI District- Samastipur

Shyam Kumar Singh, Son of Haricharan Singh, Resident of Village -
Morsand Bahadurpur, Ward No.- 11, P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Chakmehsi P.S. Case No.162/22 registered for the offence
punishable under Sections 468, 471, 420, 414/34 of the I.P.C.
and Sections 30(a), 32, 36, 41 of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

2791.44 litres illicit liquor has been recovered from
the truck. Two persons have been apprehended, namely, the
petitioner and Ajit Kumar.

It is submitted by the petitioner's counsel that, in fact,
the petitioner was not fleeing away from the vehicle. Being a



passer-by, he has been implicated in this case. The petitioner is in custody since 14.09.2022, though he has no concern with the truck or the alleged recovery of liquor. The petitioner has earlier been made accused in two cases, in which he is on bail.

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

Considering the rival submissions, manner of recovery, nature of allegation 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 of the petitioner is allowed.

Accordingly, 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 Excise Court-I, Samastipur, in connection with Chakmehsi P.S. Case No.162/2022, 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.

(Madhuresh Prasad, J)

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