

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68161 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- AMNAUR District- Saran

Sunil Singh, S/O Late Bishwanath Singh, Village- Amnaur Harnarayan, Ps.
Amnaur, Dist. Saran (CHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Amnaur P.S. Case No.67/2022 (Excise Tr. No. 1080/2023)
lodged on 10.03.2022 under Sections 272, 273, of the Indian
Penal Code and section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution case, 195 liter country made
liquor and 8.19 liter foreign liquor has been recovered from the
house of one Manju Devi, who disclosed the name of the
petitioner as her associate which is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. No



recovery has been made from the possession of the petitioner rather the alleged recovery has been made from the house of co-accused, Manju Devi. The petitioner has no concern with the co-accused, Manju Devi or the alleged liquor. The petitioner is in custody since 23.08.2023 and is accused in six more criminal cases.

4. Learned counsel for the State opposes the prayer for bail and submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the petitioner is accused in six more criminal cases.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II cum- Exclusive Special Excise Judge, 1, Saran, Chapra in connection with Amnaur P.S. Case No. 67 of 2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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