

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66582 of 2022

Arising Out of PS. Case No.-377 Year-2022 Thana- RIGA District- Sitamarhi

Prashant Kumar, S/O Sri Ram Babu Singh, Resident of village- Musahari,
P.S.- Parsauni, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-01-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Riga P.
S. Case No. 377 of 2022, registered for the offences
punishable under Section 414 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per allegation, on secret information, when the
police party conducted a raid, 585 litres of liquor was
recovered from five vehicles.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. He also submits that though the petitioner has been made accused in three other cases, but in all those cases, he is on bail. He further submits that the petitioner has been languishing in jail since 02.09.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in three other cases.

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

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge, Exclusive, Excise, Court-1, Sitamarhi, in connection with Riga P. S. Case No. 377 of 2022 on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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 petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.



The application stands allowed accordingly.

Ld. counsel for the petitioner 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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