

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70003 of 2023**

Arising Out of PS. Case No.-84 Year-2021 Thana- TETERHAT District- Lakhisarai

Narendra Singh Son Of Mundrika Singh Resident Of Village- Quartor No. 3  
-124 Sector- 2/C, Post- Sector 2, H.P.O., Ps- B.S. City, Bokaro, Distt- Bokaro  
(jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kahkashan Alam, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      07-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Tetrahat P.S. Case No. 84 of 2021 registered on 11.08.2021 for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, during checking of vehicles by the police, two co-accused persons were apprehended with Bolero Pick up van and on search recovery of 784.800 liter of India made foreign liquor was made. The name of petitioner surfaced during the investigation as a manager of the factory from where liquor was sourced.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Petitioner is not named in the F.I.R. nor his name was disclosed by the co-accused who were apprehended by the police at the time of interception of the vehicle. The co-accused who were apprehended have been granted bail by this Court vide order dated 13.01.2023 in Cr. Misc. No. 59633 of 2022 and order dated 02.12.2022 in Cr. Misc. No. 55549 of 2022. The petitioner was not apprehended from the spot. Nothing incriminating has been recovered from the possession of the petitioner. There is no cogent material against the petitioner to connect him with the offence as alleged. The petitioner is in custody since 11.08.2023. Learned counsel further submits that petitioner has got five cases of similar nature registered against him and he is on bail each and every case.

5. Learned APP opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession and further considering period of custody of the petitioner, the petitioner above named is directed to be released



on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V cum Exclusive Special Court 2 Excise Act, Lakhisaria, in connection with Tetrahat P.S. Case No. 84 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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