

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67982 of 2022

Arising Out of PS. Case No.-773 Year-2022 Thana- ARA NAGAR District- Bhojpur

Rupendra Kumar Singh, aged about 20 years, Male, Son of Kuber Singh R/O
Village- Goshaldih, P.S.- Suryapura, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Ara Town P.S. Case No. 773/2022 registered for the offence punishable under Section 419, 420, 467, 468 of the Indian Penal Code (for brevity 'IPC') and 30(a), 32, 36, 41(i) (ii) Bihar Prohibition & Excise Amendment Act, 2018.

There is alleged recovery of 3094.515 litres (three thousand ninety four litres & five hundred fifteen millilitres) Indian made foreign liquor from a truck, which as per prosecution case, the petitioner had gone to receive along with other co-accused persons in a '*scorpio*' vehicle.

Learned counsel for the petitioner submits that the petitioner had boarded the vehicle to accompany, co-accused, namely, Dhiraj for some birthday celebration. He has no knowledge or concern with the alleged recovery. Under the such circumstances, petitioner having no criminal antecedents is in custody since 26.08.2022. It is submitted that investigation is complete.



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

Considering the rival submissions, clean antecedents, period of custody 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.

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 No.1, Bhojpur, Ara, in connection with Arrah Town P.S. Case No. 773/2022, 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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