

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67615 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- GAYA MUFASIL District- Gaya

Munna Singh @ Ranjeet Kumar Singh S/o Late Dhruv Nath Singh R/o
Village- Mahna, P.S- Motipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68106 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- GAYA MUFASIL District- Gaya

Sita Ram Yadav @ BABA @ S.T.R. S/o Late Triveni Rai R/o Village-
Kodarkatta Puran Tola, P.S.- Motipur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 67615 of 2022)

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Meena Singh

(In CRIMINAL MISCELLANEOUS No. 68106 of 2022)

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-02-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with
Mufassil P.S. Case No.373 of 2021, registered for the
offences punishable under Sections 420, 467, 468, 471, of
the Indian Penal Code and Section 30(a) of the Bihar



Prohibition and Excise Act, 2016.

As per allegation, 6000 liters of spirit has been recovered from a Truck bearing Registration no. JH12C-7630 standing near NH83.

Ld. counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioners. He also submits that the petitioners have nothing to do with the alleged truck. He also submits that the name of the petitioner has transpired in the confessional statement of the co-accused.

He further submits that the petitioners, Munna Singh and Sita Ram Yadav have been languishing in jail since 19.09.2022 and 20.07.2022 respectively.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners, Munna Singh and Sita Ram Yadav have earlier been made accused in two and fifteen other cases respectively.

It is also stated in paragraph no. 2 of the bail



petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

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

Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise Court No.1, Gaya in connection with Mufassil P.S. Case No.373 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

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

(iii) The petitioners 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 petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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 petitioners.

(vi) In case, the petitioners repeat offence of similar nature after enlargement on bail, their bail bond will be cancelled by the court below.

Ld. counsel for the petitioners 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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