

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68492 of 2022**

Arising Out of PS. Case No.-873 Year-2022 Thana- PHULWARISHARIF District- Patna

PAPPU SINGH S/o Late Jitendra Singh R/v- Khagaul Lakh Jhoparpatti, P.S.-  
Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Adv.

For the Opposite Party/s : Ms. Asha Devi 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 Special Case No. 4240 of 2022 arising out of Phulwari Sharif PS Case No. 873 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of 20 liters illicit liquor from a hutment belonging to the petitioner.

Learned counsel for the petitioner submits that it is not his hutment. He was living in the area and has been implicated on account of mistaken identity. It is submitted that investigation is complete.

The petitioner is in custody since 22-07-2022 though he has no antecedents.

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

Considering the rival submissions, manner of



recovery, manner of petitioner's implication, period of custody, clean antecedent as also 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 Judge Excise Patna, in connection with Special Case No. 4240 of 2022 arising out of Phulwari Sharif PS Case No. 873 of 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)**

shyambihari/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

