

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71108 of 2022

Arising Out of PS. Case No.-362 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Shashi Bhushan Singh, male, aged about 25 yrs, S/O Manoj Prasad Singh @
Manoj Kumar Singh Resident of village- Mokama, Sakarwartola, Ward No-
16, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Sultanganj
PS Case No. 362 of 2022 dated 23-09-2022 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

As per allegation in the First Information Report (*for
brevity FIR*) total 1300 liters illicit liquor has been recovered from a
Tata 407 vehicle. The petitioner happens to be the owner of the
alleged vehicle.

Learned counsel for the petitioner submits that on account
of the vehicle being registered in the petitioner's name, he has been
made an accused. He was not knowing about any illicit liquor being
carried by the driver. It is submitted that investigation is complete.
Recovery is denied and disputed as being not in accordance with law.

The petitioner is in custody since 25-09-2022. The
petitioner has one antecedents in Barauni (Refinery) PS Case No.



114 of 2022.

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

Considering the rival submissions, manner of petitioner's implication, period of custody 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, Exclusive Excise Court No.- 2 Bhagalpur, in connection with Sultanganj PS Case No. 362 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)

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