

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.626 of 2023**

Arising Out of PS. Case No.-551 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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AMIT SINGH @ AMIT KUMAR Son of Late Arvind Singh R/V- Pansala,
P.S- Begusarai Muffasil (Lakho O.P) Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

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

learned APP for the State

The petitioner apprehends his arrest in connection
with Begusarai Muffasil P.S. Case No. 551 of 2022 instituted
under Sections 272, 273, 120(B) of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

As per the prosecution story, police upon secret
information was patrolling the area and reached near Iniyar
Dhala and saw a light in the darkness. As they moved on foot
and search was made and recovered/seized 990 liters Star Blue



Delux Whisky from a truck, 801 liters from a tractor, 432 liters from a pickup van and 17 liters 280 ml from a motorcycle.

Learned counsel for the petitioner submits that he does not own either of the four vehicle parked there and further his name has been dragged by the police merely alleging to be a secret information that facts remains that he has been implicated earlier in the case and as such it becomes very easier for them to implicate in any such cases in which recovery/seizure is made. Further submission is that irrespective of the outcome of the present petition, the petitioner intends to deposit Rs.50,000/- to the Patna High Court Legal Services Committee Account No.1413010060836.

Learned APP on the other hand opposes the prayer for anticipatory bail although concedes that as per the averment made in petition he does not own either of the four vehicle.

Considering the aforesaid facts that has come on the record as also that petitioner does not own the vehicle from which the recovery/seizure has been made, this Court is inclined to grant him privilege of bail subject to payment of Rs.50,000/- as stated above.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a



period of four weeks from the receipt of this order, on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) each with two sureties of the like amount each in connection with Begusarai Muffasil P.S. Case No. 551 of 2022 to the satisfaction of learned Exclusive Special Judge Excise,Ist, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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