

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.928 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- MUFFASIL District- Aurangabad

SATISH SINGH @ CHHATISH SINGH @ SHATISH SINGH S/O Late
Ramraj Singh R/O Village- Karma Misir, P.S- Risiup, District- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Leelawati Kumari,Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-02-2023 Heard Mrs. Leelawati Kumari, learned counsel for
the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection
with Aurangabad Mufassil P.S. Case No. 296 of 2022 for the
offence registered under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

The police alleged in the FIR is that it conducted a
raid in the garden of Narad Sao and upon search, 4.6 litres of
Saukin Santra Masaledar country made liquor was
recovered/seized and accordingly, the FIR was lodged.

Learned counsel for the petitioner submits from bare
perusal of the FIR would show that the recovery/seizure is from
the garden of Narad Sao, nothing has been recovered from his



conscious possession nor he is in the business of said selling or manufacturing liquor.

Mrs. Sucheta Yadav, learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he has criminal antecedent.

Considering the kind of recovery as also that the same has been recovered/seized from the garden of Narad Sao, ultimately the petitioner will have to face the trial, this Court is inclined to extend the privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 1, Aurangabad (Bihar) in connection with Aurangabad Mufassil P.S. Case No. 296 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

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

(ii) 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 bail bond by the Trial court itself;

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

(iv) 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;

(v) 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;

(vi) the petitioner shall co-operate in the investigation and made himself available to the police as and when required.

(Rajiv Roy, J)

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