

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4325 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- Excise P.S. District- Siwan

Bhim Singh SON OF RAMJANAM SINGH RESIDENT OF VILLAGE-
SARHARI, PS- BHAGWANPUR HAT, DIST- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s: Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in custody in connection with Maharajganj Excise P.S. Case No. 62 of 2023 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 11.11.2023 by the informant, Shweta Kumari.

3. As per the prosecution story, the police upon information raided the hut of the petitioner's family, Pappu Singh and recovered/seized 112.320 of foreign liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the hut belongs to Pappu Singh, he has no role to play, due to enmity his name has come only because Pappu Singh is his brother.



5. Learned APP opposes the prayer for bail stating that he was one of the person who escaped.

6. Considering the submission put forward by the parties as also that recovery is from the hut which belongs to Pappu Singh, he do not have any criminal antecedent and is in custody since 12.11.2023 (para 9 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise II, Siwan, in connection with Maharajganj Excise P.S. Case No. 62 of 2023 subject to the following conditions:

(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 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 six months to mark his



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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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