

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40938 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- Excise P.S. District- Siwan

=====

Amit Kumar Singh Son of Late Daroga Singh Resident of Village - Nikhti
Kala, P.S. - Raghunathpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Md. Matloob Rab, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Excise Raghunathpur P.S. Case No. 43 of 2024

registered for the offences under Section 30 (a) of the

Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R. and is

in custody since 02.04.2024.

4. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 810 litres of IMFL/country



made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case for the reason that he was helper of the alleged vehicle from where recovery of illicit liquor was made. It is further submitted that petitioner was not under knowledge regarding consignment of illicit liquor being helper of the vehicle in issue. While concluding the argument it is submitted that petitioner found involved in five more criminal cases of similar nature, where he is on bail in all five cases and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor, *prima facie*, appears doubtful from the conscious physical possession



of this petitioner, coupled with the fact as petitioner is in custody since 02.04.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Excise Raghunathpur P.S. Case No. 43 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ Special Judge Excise Court No. 2, Siwan/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further conditions:-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption



from physical appearance be allowed
by the Trial Court, only on medical
ground of the petitioner duly supported
by the documents.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

