

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37997 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Rajendra Singh @ Rajendra Kumar Singh @ Sanjay Kumar Singh @
Rajendra Kumar Son of Late Ram Naresh Singh Resident of Village - Sutihaar
Mathiya , P.S.- Derni, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 22-05-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Chhapra
Muffasil P.S. Case No. 141 of 2024 instituted for the offences
punishable under Sections 272, 273 and 420 of the Indian Penal
Code and Sections 30(a), 41(1) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 1525
litres of illicit spirit and some cartons containing electric
appliances and slippers were recovered from a pickup van.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle from which the alleged recovery has been made. Learned counsel further submitted that, from perusal of the FIR, it appears that the recovered articles were being brought through the owner of the Bihar Jharkhand Freight Carrier Transport and this petitioner is neither owner/partner of the said Transport company nor he is the employee of the said company. The petitioner has got no concern with the alleged recovery. The petitioner is in custody since 16.03.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhapra Muffasil P.S. Case No. 141 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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