

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44701 of 2024

Arising Out of PS. Case No.-118 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

Bigan Singh @ Piyush Anand Son Of Ganesh Singh Village- Indrahiya, P.S.-
Sasaram (MUFFASIL), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sasaram (Muffasil) P.S. Case No. 118 of 2020 dated 26.04.2020, instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The allegation is of recovery of gas cylinder of 14 litres and 10 litres country made liquor from the bhatti of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the name of petitioner has been dragged in this case only on the basis of identification made by the local Chowkidar. It is further submitted that similarly



situated co-accused namely, Vikash Kumar, Chitranjan Singh, Guddu Kumar Singh and Jitendra Kumar Singh have been granted bail vide order dated 24.03.2021 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 19600 of 2021. Lastly, it has been submitted that the petitioner has two criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sasaram (Muffasil) P.S. Case No. 118 of 2020, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Exclusive Special Excise Court no. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

sankalp/-

U			
---	--	--	--

