

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52534 of 2024

Arising Out of PS. Case No.-371 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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Nago Singh S/o Ram Lakhan Singh R/o Village_ Bishanpur Ahok, P.S.
Sahebpur Kamal, Distt. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2024 Heard the parties.

2. The petitioner is in custody in connection with Sahebpur Kamal P.S. Case No. 371 of 2022 for the offence punishable under Sections 147, 149, 342, 323, 307, 224, 332, 353 and 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition Excise Amendment Act, 2018 lodged on 29.12.2022 by the informant, Raj Kumar Ram.

3. As per the prosecution story, the informant alleged that upon information that the accused Nago Singh against whom there was a criminal case lodged is present in his house, was raided and he was taken into custody but the family members came and scuffled/beaten the police causing injuries to the informant as also others. However, they were able to again make a search from the house and 294 liters foreign liquor



recovered which followed the FIR.

4. Learned counsel for the petitioner submits that he was taken into custody and was sitting in the police jeep and as such, all the subsequent act cannot be attributed to him. The further submission is that it is a joint house and recovery/seizure cannot be attributed to his conscious possession.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Though a case is lodged against him, the allegation is that he was taken into custody which followed scuffle and subsequent raid and recovery of foreign liquor.

7. In that background and taking account of custody period (24.05.2024) as also the age (60 years), this Court is inclined to extend him the privilege of bail with conditions.

8. 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 Special Judge, Exclusive Excise 2nd Begusarai, in connection with Sahebpur Kamal P.S. Case No. 371 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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.

(Rajiv Roy, J)

Adnan/-

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