

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55451 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- SARAI RANJAN District- Samastipur

Kamlesh Singh Son of Raj Narayan Singh Resident of Village - Motipur, P.S.-
Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 02-08-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sarai
Ranjan P.S. Case No. 271 of 2023 instituted for the offences
punishable under Sections 30(a), 41(i) (ii) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1417.5
litres of liquor has been recovered from different vehicles.

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.



The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted bail by this Bench vide order dated 28.02.2024 passed in Cr. Misc. No. 13480 of 2024. The petitioner is in custody since 04.07.2024 and has five criminal antecedents. 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, claim based on parity 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 Sarai Ranjan P.S. Case No. 271 of 2023, 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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