

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60340 of 2024**

Arising Out of PS. Case No.-77 Year-2024 Thana- HASANPUR District- Samastipur

Anil Kumar Singh @ Anil Singh, Son of Vishvnath Singh, Resident of Village  
- Naya Nagar, Ward No.- 7, P.S.- Hasanpur, District - Samastipur (Bihar)  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Kumar, Advocate  
For the Opposite Party/s : Dr. Indihar Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      31-08-2024                      Heard Mr. Madhav Kumar, learned Advocate  
  
appearing on behalf of the petitioner and Dr. Indihar Kumari,  
  
learned Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner who is in custody in connection with Hasanpur P.S. Case No. 77 of 2024 registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Based upon the written report the prosecution alleges that the police on a secret information conducted raid and found a pickup van bearing registration no. BR09M9483 ladden with illicit wine. Noticing the police party, one of the person tried to flee away, who was apprehended and he disclosed his name as Anil Kumar Singh (petitioner). On search total 495 litres of Indian made foreign liquor was recovered.

4. Learned Advocate appearing on behalf of the petitioner referring to the FIR contended that from the FIR it is



evident that neither the petitioner is said to be driver of the pickup van, nor the owner. The only allegation against him that when the police raided that place of occurrence, he tried to flee away. It is next contended that the petitioner bears fair antecedent and he had never been involved in such type of activities prior to the institution of the crime. There are other infirmities in the search and seizure and the witnesses are none else, but the police personnels. Now the petitioner is in judicial custody since 13.07.2024. The investigation of the crime is complete.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that a huge quantity of illicit wine is recovered.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioner has neither any concern with the pickup van from where the recovery has been made, nor there is any cogent material suggesting his complicity, except he being driver coupled with the fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge I, Samastipur in connection with Hasanpur P.S. Case No. 77 of 2024, subject to



the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

supratim/-

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