

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60487 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- PATEPUR District- Vaishali

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Kundan Singh S/o Raj Kumar Singh R/o Village- Ashama, PS- Patepur, Distt-
Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nidhi Anand, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 02-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per allegation in the FIR, on getting secret information police personal raided the house of the petitioner and recovered 156.6 litres of IMFL from *Bhusa-ghar* and the petitioner managed to escape.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner was not apprehended on spot. Provision of Section 100 CR.P.C. has not been followed while preparing the seizure list as both the witnesses are police officials. Petitioner has got clean antecedent and he is



languishing in judicial custody since 23.7.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the fact that petitioner has got no criminal antecedent, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Prohibitaion and Excise Court (second)-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Vaishali Patepur P.S. Case No. 177 of 2024, subject to following conditions:

(i) The petitioner shall cooperate in the disposal of trial and be available as and when required by the Court.

(ii) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if it is found that he is involved in any other case, his bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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