

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67370 of 2024

Arising Out of PS. Case No.-29 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Sunil Kumar Singh S/o Late Suraj Nath Singh Resident of Mohalla- P 166
Benali more, Colliery East side, P.s- Jamuria (sripur o p), District- West
Bardhaman, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate. Smt. Divya Bharti, Advocate.
For the State	:	Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-09-2024 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The petitioner seeks bail in connection with
Udwantnagar P.S. Case No. 29 of 2021 dated 18.01.2021,
registered for the offences punishable under Sections 411,
420, 467, 468, 471, 120(B) of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 8,622.720 litres of liquor was
recovered from a truck.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the name of petitioner has



transpired in the statement of the driver of the truck that contraband was loaded in the truck from the hotel of the petitioner and there is no other material in support of such allegation. He also submits that co-accused Sunil Kumar @ Sunil Bhardwaj has already been granted bail by this Court vide order dated 28.06.2023 passed in Cr. Misc. 37280 of 2023.

5. He further submits that the petitioner has been languishing in jail since 03.08.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has got no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exvclusive Special Excise Judge-II, Bhojpur, Arah, in connection with Udwantnagar P.S. Case No. 29 of 2021, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bond will be cancelled by the court below.

(Jitendra Kumar, J)

S.Ali/-

U		T	
---	--	---	--

