

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71456 of 2024

Arising Out of PS. Case No.-170 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Pappu Kumar Singh @ Pappu Singh Son of Kanilal Singh R/O Vill.- Ranidi,
P.S.- Karon, Dist.- Deoghar, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Jee, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Lakhisarai (Kavaiya) P.S. Case No. 170 of 2022 registered for the offences punishable under Sections 30(a), 32(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is alleged recovery of total 62.175 liters foreign liquor from Tempo in question and FIR has been registered against one Vikky Kumar and unknown owner of tempo in question.

4. Learned counsel for the petitioner submits that petitioner is not named in the first information report. He further submits that petitioner is quite innocent and has not committed any offence as alleged in the first information report. Learned



counsel submits that petitioner is neither owner nor driver of the vehicle in question. Petitioner is not in any way connected with the alleged occurrence and he has been falsely implicated in this case. Petitioner is in custody since 16.07.2024. Learned counsel orally submits that charge-sheet has been submitted and there is no likelihood of tampering with the prosecution evidence. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the state opposes the prayer for bail of the petitioner and submits that the impugned order clearly indicates that petitioner is owner of the vehicle in question and he has been apprehended on the process issued by the court under Section 82 Cr.P.C.

6. Considering the facts and circumstances of the case, period of custody, petitioner bears no criminal antecedent, argument advanced on behalf of both sides and the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge Ivth-cum-Special Judge, Excise Act 1st Lakhisarai in connection with Lakhisarai (Kavaiya) P.S. Case No. 170 of 2022) subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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