

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70577 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- CHIHARA District- Jamui

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Raju Kumar Singh S/o Suresh Singh R/o Village- Quarter No. H/B, STRT-8,
Comp-002, P.S.- Bokaro Steel City, District- Bokaro, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chihar
P.S. Case No. 22 of 2024 registered for the offences punishable
under Section 30(a) and 32 of Bihar Excise & Prohibition Act
2018.

3. As per prosecution case, there is alleged
recovery of 390 litre foreign liquor from the car in question and
petitioner apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the F.I.R. Petitioner is in custody since 21.06.2024
and bears no criminal antecedent. Charge sheet has been



submitted in the case and there is no likelihood of tampering with the prosecution evidence. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submits that seizure list has not been prepared as per law. He further submits that petitioner is not the owner of the car in question. Petitioner has taken lift in the said car and he has falsely been implicated in the case on the basis of suspicion. He further submits that petitioner has nothing to do with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court- (i), Jamui in connection with Chihara P.S. Case No. 22 of 2024, 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 tampers 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)

vashudha/-

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