

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77219 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- BAIRGACHHAI District- Araria

Suraj Singh S/o- Amar Dip Singh Village- Tumbajote Beldangi Matigara, PS-
Matigara, Dist- Darjeeling, W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2024

Heard the parties

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Bairgachhi P.S. Case No. 14 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 616 liters of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that two persons along with vehicle and illicit liquor i.e., total of 616 liters were arrested by the



police, namely, Raja Singh and Nitish Singh, who during the course of investigation disclosed that this petitioner was the owner of the consignment of the illicit liquor and was also involved in loading of the cartoon in vehicle. It is submitted that save and except this confessional statement nothing incriminating appears against this petitioner which may suggests involvement of petitioner qua recovery of aforesaid illicit liquor. While concluding argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid facts and submission as save and except suspicion *prima-facie* nothing survive incriminating against this petitioner out of confessional statement of co-accused persons namely, Raja Singh and Nitish Singh, accordingly, above named petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise 1,



Araria/concerned Court, where the case is pending in connection with Bairgachhi P.S. Case No. 14 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS, subject to further conditions:-

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.”

(Chandra Shekhar Jha, J)

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