

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90157 of 2024

Arising Out of PS. Case No.-478 Year-2024 Thana- KHAJEKALA District- Patna

Ujjwal Kant Singh @ Ujjwalkant Singh S/O Late Dayanand Singh Resident
of Pani Tanki, Begama ki Haweli, P.S- Khajekala, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 17-01-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Khajekalan P.S. Case No. 478 of 2024 instituted for the
offences punishable under Section 30(a), 37 of the Bihar
Prohibition and Excise Act.
3. The prosecution case, in short, is that total 42 litres
of liquor has been recovered near the house of the petitioner.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from outside the house of the petitioner, i.e. from an open place



which is accessible to local people. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 20.10.2024 and has eight criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajekalan P.S. Case No. 478 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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