

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65415 of 2021**

Arising Out of PS. Case No.-448 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rajniti Singh, S/O Late Sitaram Singh, R/o village- Machha, P.S.- Muffasil,
District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, AP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 31-05-2022 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with
Muffasil P.S. Case No.448 of 2021 registered for the offence
punishable under Section 120B of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Upon the disclosure made by petitioner and co-
accused Ramesh Mahto, 283.785 litres illicit liquor has been
recovered from '*Banswari*' of Ramesh Mahto, as per allegation
made in the FIR.

Counsel submits that even as per the prosecution
case, recovery is from '*Banswari*' of Ramesh Mahto. Petitioner
has been implicated in this case falsely as he is alleged to have



been found near the place from where Ramesh Mahto was apprehended on secret information. The petitioner has no antecedents and is in custody since 01.09.2021. It is also submitted that the chargesheet has been filed and investigation is complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, clean antecedents, period of custody and the fact that there is no recovery attributed from the petitioner's possession, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Muffasil P.S. Case No.448 of 2021, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The



bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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