

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53041 of 2016

Arising Out of PS.Case No. -265 Year- 2016 Thana -KHAIRA District- JAMUI

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Sanjeev Kumar, Son of Late Permanand Munsu, resident of Village-
Dalludih, P.S.- Rajganj, District- Dhanbad (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Dev Singh, Advocate
Mr. Deep Anshuman, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.10.2016 in connection with Khaira P.S. Case No. 265/16
registered for the offences punishable under Sections 272, 273/34
of the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police, is that
during course of checking they stopped one Tata Pick-up van and
the petitioner, who was the driver, was apprehended along with
one another co-accused Etwari Mahto. They named another person
Suraj, who was the owner of the articles seized. On being
apprehended 180 ml. of foreign liquor in 18 cartoons totaling 864



bottles and 750 ml. 48 cartoons totaling 576 bottles along with some mobile phones were seized. Accordingly, seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is the driver of the vehicle, has no criminal history and is not in any way concerned with the seized articles. It is submitted that nothing incriminating has been recovered from his possession and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted and the petitioner being the driver of the vehicle, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No. 265/16.

(Nilu Agrawal, J.)

Rajesh/-

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