

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26719 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MUFFASIL District- AURANGABAD

=====

1. Jai Ram Singh Son of Ram Swaroop Singh, Resident of Village-
Neyamatpur, P.S.- Bela, District- Gaya(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Muffasil (Aurangabad) P.S.Case no.22 of 2017, registered for offences punishable under Sections 420 & 120B of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

Allegation as per F.I.R. is that the police, on information, raided the house of one Anil Singh and two vehicles were intercepted as well as huge quantity of liquor has been recovered from those vehicles. It also appears that the police arrested the petitioner while fleeing, who claims to be Drivers of Sumo Victa vehicle. It further appears from the F.I.R. that the liquor has also been recovered from the house of co-accused, Anil Singh.

It is submitted on behalf of the petitioner that the petitioner is not Driver of Sumo Victa Vehicle rather of Maruti Vehicle and he has nothing to do with the seized articles as the



F.I.R. itself shows that the seized liquor has been seized from the house of Anil Singh. Furthermore, the petitioner has no criminal antecedent and he has remained in custody for about four months.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that huge quantity of liquor has been recovered.

Having heard both sides and in view of the fact that the petitioner is driver and he has remained in custody for more than four months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Aurangabad in connection with Muffasil (Aurangabad) P.S.Casae No.22 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

