

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9077 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

VIJAY KUMAR SINGH, aged about 30 years, Male, Son of Sri Radhe Govind Singh, Resident of village-Kandawar, P.S.-Huntarganj, district Chatra (Jharkhand) ... Petitioner

Versus

The State of Bihar ... Opposite Party

=====

Appearance :

For the Petitioner : M/s Sanjeev Kumar & Priya Ranjan, Advs.
For the Opposite Party : Mr. Gauri Shankar Gupta, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 16.12.2018 in connection with Excise Case No. 462 of 2018 for the offences alleged under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise officials, is that on surprise inspection the pick-up van was inspected and while the owner managed to flee away the driver was apprehended. From the pick-up van 800 Kg of mahua flower and 750 ml of Indian made foreign liquor was recovered. Accordingly, a seizure memo was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the petitioner was just a driver of the vehicle and was acting on the



dictates of his employer. It has, further, been submitted that the petitioner undertakes not to induce witnesses or tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner was caught red handed with the illicit mahua flower and wine.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No. 462 of 2018 to the satisfaction of the learned Special Judge, Excise Court, Gaya, subject to the condition one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

