

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72608 of 2019

Arising Out of PS. Case No.-1051 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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PREM RANJAN MAUAR Son of late Lallu Mauar, Resident of Village -
Itahat mauar Khaira, P.S.- Barun, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 20-11-2019 Instant petition under Sections 439 and 440 of

Criminal Procedure Code has been moved for grant of bail in

Excise Case No.1051 of 2019, registered under Sections 30(a)

of Bihar Prohibition and Excise Act, 2016.

I have heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State. I have also
perused the relevant record of the case, necessary for
adjudication of this petition.

It is alleged by the prosecution that in course of
vehicle checking 229 litres of wine was recovered from a car.
On seeing the police, the accused/petitioner fled away.

It is submitted on behalf of the petitioner that
petitioner has no connection or even knowledge about the



recovery of wine nor the recovery is from his house. The alleged recovery is from his car which he had given to his relative for some urgent work. Prima facie no case against the petitioner is made out indicating his complicity in the alleged crime so as to deny bail.

It is submitted by learned counsel for the petitioner that the petitioner has roots in the society; and is not likely to interfere in the investigation or influence any of the witnesses or destroy the evidence, as also that he is behind bars since 26.9.2019. At this stage petitioner is not required for investigation.

Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner, named above, be released on bail on furnishing bail bond of Rs. 25,000/-(Twenty five thousand) with two sureties of like amount each to the satisfaction of Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No.1051 of 2019, on the following conditions:-

(i) That one of the bailors of the petitioner shall be his close relative.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Any observation made herein shall not be construed to be an expression on the merits of the matter.

Petition stands disposed of in the above terms.

(Sanjay Karol, CJ)

K.C.Jha/-

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