

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12384 of 2020

Arising Out of PS. Case No.-687 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Pappu Kumar Dangi Son of Late Rajdev Dangi Resident of Village - Auru
Gerua, P.S.- Hunterganj and District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The petitioner, who is languishing in custody since
24.10.2019, has renewed his prayer for bail in a case registered
for the offences punishable under Section 30(a) of the Bihar
Excise and Prohibition Act, 2016, as amended by Amendment
Act 8 of 2018.

The prosecution case, as per the prosecution report is
that on secret information that liquor is being transported, one
pickup van was intercepted from which, 600 litres of country
made liquor were recovered. The petitioner is alleged to be the



driver of the vehicle in question.

It is submitted by learned counsel for the petitioner that the petitioner was having no knowledge about the liquor being transported as he was simply a driver. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, the petitioner is languishing in custody since 14.10.2019 and the investigation has already been concluded. The bail of the petitioner was earlier rejected by a co-ordinate bench of this Court, vide order dated 12.12.2019, passed in Cr. Misc. No. 82480 of 2019, as contained in Annexure-1 with liberty to the petitioner to renew his prayer for bail after framing of charge, which reads as follows:-

“Having heard both side and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, once the charge is framed in this case, the petitioner is at liberty to renew his prayer for bail.”

A statement has been made in paragraph no.9 of the petition that charges have already been framed on 18.01.2020 and the order of framing of charge has been brought on record as Annexure-3.

Learned APP submits that the recovery of country made liquor was made from the possession of the petitioner.



Considering the liberty given to the petitioner by a co-ordinate bench of this Court for renewal of prayer of bail after framing of charge in earlier bail application and the charges have already been framed coupled with the fact that petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Excise P.S. Case No. 687 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Excise P.S. Case No. 687 of 2019.



The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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