

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22077 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- RAJAOLI District- Nawada

NILESH KUMAR Son of Ramashish Singh Resident of Village- Chowmar
(Dhowar), P.S.- Tankuppa, District- Gaya (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-08-2020 This matter has been taken up through Video Conferencing.

Let the defects be removed within two weeks after opening of the physical court.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 30(a)/41 of the Bihar Prohibition and Excise Act.

Petitioner is conductor of the public bus from which liquor was allegedly recovered.

Petitioner is in custody since 05.03.2020. Investigation of the case is already complete. The petitioner has stated on oath that he has got no criminal antecedent.



Submission is that since the bus was a public bus the petitioner had no knowledge as to what the passenger had put in the bus as luggage. Moreover, the driver and cleaner of the bus standing on similar footing have already been allowed bail by a coordinate Bench of this Court.

Considering the entire facts aforesaid and no material to substantiate that the petitioner is going to tamper with the evidence or not cooperate with the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Rajauli P.S. Case No.74 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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