

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21230 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- PURNEA SADAR District- Purnia

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Ameet Kumar, S/o Om Prakash Yadav, Resident of Village- Barsauni, P.S.-
Dagaruwa, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand,Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-06-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Special Excise Case No.170 of 2020, arising out of Sadar P.S. Case No.130 of 2020 instituted for the offence punishable under Sections 272, 273, 411, 413 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.



The F.I.R. alleges recovery of 697.800 litres of Indian Made Foreign Liquor from a pick-up van driven by the petitioner. From the petitioner's possession one Samsung mobile has been recovered.

It is submitted by the petitioner's counsel that the petitioner was merely the Driver of the pick-up van. He has no knowledge or concern with the illicit liquor loaded in the vehicle in question. He is having no criminal antecedents and is in custody since 29.03.2020.

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner was the Driver of the vehicle from which recovery has been made.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Purnea, in connection with Special Excise Case No.170 of 2020, arising out of Sadar P.S. Case No.130 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the



petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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