

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12354 of 2021

Arising Out of PS. Case No.-699 Year-2020 Thana- ARARIA District- Araria

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Sita Singh, Son of Sadhu Singh Resident of Village- Ghudi, P.S.- Faridkot,
District- Faridkot (Punjab).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Araria P.S. Case No.699 of 2020, registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per the prosecution case, on 01.09.2020 on the basis of secret information, the informant and other intercepted a truck and upon search total 8200 liters spirit was recovered and this petitioner who who was driver of the truck was arrested on the spot.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner and petitioner happens to be the owner and driver of the truck and



on the alleged date the alleged truck was hired by one Nanki @ Mitesh and the said petitioner was not aware of the said consignment. Petitioner has got clean antecedent and is in custody since 02.09.2020.

Learned APP for the State has opposed the bail petition.

Considering the rival submission of the parties and materials available on record, the fact that no recovery has been made from the possession of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Second Additional Sessions Judge-cum-Special Judge, Araria in connection with Araria P.S. Case No.699 of 2020 corresponding to Special Case No.708 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the



evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

Prakash Narayan /-

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