

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15423 of 2021

Arising Out of PS. Case No.-333 Year-2020 Thana- RIVILGANJ District- Saran

Gajendra Singh Male aged about 26 years Son of Late Paramhansh Singh
Resident of Village- Barka Baiju Tola, P.S.- Rivilganj, Dist- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Surendra Pd. Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Rivilganj P.S. Case No. 333 of 2020, registered for the offence under Section 30(a), 41(i) of the Indian Penal Code.

As per the prosecution case, on a secret information, a pick-up van alongwith one motorcycle were apprehended and on search, 904.520 liters of illicit foreign liquor was recovered from the pick-up van, whereas, 18 liters of foreign liquor was recovered from the motorcycle and the petitioner, who was sitting in the pick-up van, and other accused were arrested on spot.

It is submitted on behalf of petitioner that petitioner is neither owner nor driver of the vehicle in question and he was



simply sitting in the pick-up van, as passenger, and he was not aware about the nature of consignment, which was being transported in the vehicle. Petitioner claims clean antecedent and he is in custody since 15.09.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as nature of allegation and period of custody, 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 ADJ 2nd cum Special Judge, Excise, Saran at Chapra in connection with Revilganj P.S. Case No. 333 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.)

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