

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14894 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- DEO District- Aurangabad

RAMRAJ PANDEY, aged about-29 years, son of Sri Nagendra Pandey,
resident of village- Saheb Bigha, Police Station- Deo, District-
Aurangabad(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-09-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

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

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Deo P.S. Case
No. 120 of 2020 (G.R. No. 1092/2020) registered under Section
30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018



of the Indian Penal Code.

195 litres country-made liquor has been recovered from the *auto* which was being driven by the petitioner.

The submission of the petitioner's counsel is that allegedly being driver he has been apprehended while the proprietor of the vehicle, co-accused Anil Yadav has been fled away. Petitioner has no concern with the alleged illicit liquor recovered from the vehicle. He has become victim of the circumstances. The petitioner is stated to be in custody since 23.10.2020. It is further submitted that he had gone to lend his professional driving service and in the process he has been arrested.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Aurangabad in Deo P.S. Case No. 120 of 2020 (G.R. No.



1092/2020), 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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