

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29723 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- GOVINDPUR District- Nawada

RAJA KUMAR DAS Son of Mahendra Das Resident of Village - Azad Nagar
Bhuli Mira Hard Cuck, Bhatta, P.S.- Bhuli, District - Dhanbad (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-12-2021 Heard the parties through video conferencing.

Heard Mr. Man Mohan Kumar, learned counsel
appearing on behalf of the petitioner and Ms. Sharda Kumari,
learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 17.01.2021,
seeks bail in connection with Govindpur P.S. Case No. 18 of
2021, for the offence punishable under Section 30(a)/41 of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 765
litres of Indian Made Foreign Liquor was recovered from the
Bolero pickup van bearing registration No. BR-09M-9928.

It has been stated on behalf of petitioner that the



petitioner is not the owner of the said Bolero pickup van bearing registration No. BR-09M-9928 from which the alleged illicit liquor has been recovered. He further submits that petitioner is driver of the van and he was simply asked to deliver the goods at the required destination.

Learned A.P.P. for the State, however, opposes the prayer for grant of bail to the petitioner with submission that huge quantity of liquor has been recovered as such the petitioner does not deserve to be released on bail.

Considering the aforesaid facts and circumstances of the case, it is directed that the learned Court below after verifying the criminal antecedent of the petitioner and on being satisfied that there is no other criminal case or excise case is pending against the petitioner, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Nawada in connection with Govindpur P.S. Case No. 18 of 2021 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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