

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31200 of 2021

Arising Out of PS. Case No.-458 Year-2020 Thana- GARKHA District- Saran

Parmatma Rai @ Parmatma Kumar Yadav Son of Mahendra Ray Resident of
Village - Balwan Tola, P.S.- Doriganj, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Garkha P.S. Case No. 458 of 2020 instituted for the offences under Sections 30(a), 36 and 41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.01.2021, charge-sheet has been submitted in the case and he has two criminal cases against him as mentioned in paragraph '3' of the bail application.



Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that 3562.5 litre foreign liquor is alleged to have been recovered from a container of truck as detailed in the F.I.R.

Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot and it was the driver of the truck who disclosed that the person who fled on motorcycle was acting as a liner and the said person was this petitioner. Further, it is submitted that owner of the truck is one Salman Bhai.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that he has got two cases against him as mentioned in paragraph '3' of the bail application.

Considering the fact that the petitioner is in custody since 18.01.2021, charge-sheet has been submitted in the case and the petitioner was not apprehended at the spot and his name came on the basis of statement of the driver of the truck, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions-cum-Special Judge, Excise, Saran at



Chhapra in connection with Garkha P.S. Case No. 458 of 2020
subject to the condition as laid down under Section 437 (3)
Cr.P.C.

(Satyavrat Verma, J)

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