

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36555 of 2021

Arising Out of PS. Case No.-62 Year-2021 Thana- DAGARUA District- Purnia

SAUKAT ALI Son of Md. Naseem Resident of Village - Raj Khand, P.S.
Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Dagarua P.S. Case No. 62
of 2021 Special Excise Case No. 194 of 2021, registered for the
offence punishable punishable under Sections 272, 273 and 34
of the Indian Penal Code and 30(a) of the Bihar Prohibition and
Excise Act, 2016.

323.625 litres of foreign liquor has been recovered
from Bolero vehicle and this petitioner being driver was
apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was simply
driving the vehicle and was not aware about the nature of



consignment. Petitioner has no concern with the seized liquor. Petitioner is in custody since 03.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Purnea in connection with Dagarua P.S. Case No. 62 of 2021 Special Excise Case No. 194 of 2021, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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