

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39343 of 2021**

Arising Out of PS. Case No.-47 Year-2021 Thana- KUTUMBA District- Aurangabad

Gurucharan Singh S/O Late Heera Singh R/o Aryabhat School Lane, Ward-13, P.S. City, Vishavkarma Colong, P.S. City, District - Fatehabad (Haryana).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 04-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kutumba P.S. Case No. 47 of 2021, registered for the offence punishable punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

8657 litres of foreign liquor has been recovered from a truck 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 on the instruction of the owner and was not aware about the nature of consignment. Petitioner has no concern with the seized liquor. Petitioner is in custody since 17.03.2021 having no criminal antecedent, as stated in para 3 of



the petition. Investigation is complete.

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 Additional District & Sessions Judge II-cum-Special Judge Excise, Aurangabad in connection with Kutumba P.S. Case No. 47 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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