

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35109 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- KHARIK District- Bhagalpur

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Gayanu Ranjan Son of Indradeo Singh, Resident of Village- Chhoti
Parmanandpur, P.S.- Kodha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-01-2021 Heard learned counsel for the petitioner and Mr.
Mritunjay Kumar Nirala, learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Kharik P.S. Case No. 130 of 2020 registered for offence punishable under section 30 (a), 38 (c) of the Bihar Prohibition and Excise Act.

The police party, on secret information, reached at N.H. 31 and found, one Indigo bearing Registration no. WB-06A-7909 was fleeing away in the way of Bihpur then the police party surrounded it and on chase, one person was arrested who declared his name as Gayanu Ranjan (petitioner). The police, on search, recovered 104.625 litres of foreign liquor from the said vehicle, which was being carried by the present petitioner.



Learned counsel for the petitioner submits that the petitioner is a driver of the said vehicle, he had no knowledge about the said liquor. He further submits that the petitioner has falsely been implicated in the present case and he is in custody since 24.06.2020 having no criminal antecedent.

Looking to the facts and circumstance of the case, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Bhagalpur in connection with Kharik P.S. Case No. 130 of 2020, subject to the condition that one of the bailors of the petitioner shall be a close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in future in the same type of offence, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass order in accordance with law.

(Shivaji Pandey, J)

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