

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37463 of 2020

Arising Out of PS. Case No.-335 Year-2020 Thana- TAJPUR District- Samastipur

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Pramod Rai S/o Bhulan Rai R/o Village-Agahara, P.S.-Madhaura, District-Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Tajpur P.S. Case No. 335 of 2020, registered for the offence punishable punishable under Section 30(a), 41(i) and 41(ii) of the Bihar Prohibition and Excise Act, 2018.

4312.8 litres of foreign liquor has been recovered from a truck and petitioner is alleged to be the driver of said truck who was apprehended on the spot.

It is submitted that petitioner has falsely been implicated in this case as he is simply the driver of the vehicle in question. Nothing has been recovered from conscious possession of this petitioner. Petitioner has no knowledge about the consignment of liquor. He has no concern with the seized



liquor. Charesheet has already been submitted. Petitioner is in custody since 29.08.2020 having clean antecedent.

Considering the facts and circumstances of the case, 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 Sessions Judge II-cum-Special Judge (Excise Act), Samastipur in connection with Tajpur P.S. Case No. 335 of 2020, 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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