

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1935 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- BIKRAM District- Patna

RAJEEV KUMAR aged about 38 years Son of Khushar Chand @ Kushal Chand Resident of - B.P.O., Brindawan, Palampur, Kangra, (Bindravan, Kangra), District- Kangra (FIR written as Kogra), Himachal Pradesh).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 4245.360 liters wine has been recovered from a truck of which the petitioner is said to be a cleaner and he was apprehended on the spot.

Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery as he is simply a cleaner of the vehicle and was not aware of the nature of the consignment. Charge sheet has already been submitted. Petitioner has got



clean antecedent as stated in paragraph 3 of the bail petition.
Petitioner is in custody since 20.2.2020.

Considering the facts of the case and the fact that the petitioner is cleaner and he is in custody for more than a year, let the petitioner, above named, be released 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 Special Judge, Excise Act Patna in Vikram Police Station Case No. 68 of 2020, Special Case No. 1703/2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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