

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1338 of 2021

Arising Out of PS. Case No.-239 Year-2020 Thana- BAUSI District- Purnia

SANJEET YADAV SON OF SRILAL CHANDRA YADAV RESIDENT OF-
LAXMIPUR JIRONA, P.S.- DARBHANGA SADAR (KABIRCHAK),
DISTRICT- DARBHANGA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-04-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Baisi PS Case No. 239 of 2020 registered under Sections 272 and 273 of the IPC and Sections 30(a), 41 and 47 of Bihar Prohibition and Excise Act, 2016 .

The petitioner is Driver of the truck in question from which 2148.480 liters of illicit liquor has allegedly been recovered.

It is submitted that the consignment of Pineapple was loaded on the petitioner's truck in his absence. He therefore he no knowledge of liquor being concealed in the same. He was bonafide offering his services as professional driver having no concern with the liquor in question. Submission is of false implication and he has no criminal antecedent. Petitioner is in custody since 4.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and



circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise) in Baisi PS Case No. 239 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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