

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2225 of 2021

Arising Out of PS. Case No.-243 Year-2020 Thana- BAUSI District- Purnia

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RAMBHOOOL @ RAMBHOOOL TOMER S/o DALCHAND R/o Galand, P.S. -
Pikhua, District - Hapur (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the State : Md. Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-05-2021 In view of sudden resurgence of COVID - 19 infection there has been imposition of lockdown for the last couple of weeks, there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and the learned counsel for the informant as well as learned APP for the State.

The petitioner seeks bail in Baisi PS. Case No. 243 of 2020, Special Excise Case No. 412 of 2020 registered for the offence under Sections 272, 273 of the IPC and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

2246.400 liters of illicit liquor has allegedly been recovered concealed in husk in the dicky of a truck. The petitioner is driver -cum- owner of the truck in question.

Learned counsel for the petitioner submits that the



petitioner had no knowledge that while loading the husk, liquor has been concealed and in such circumstances, he is in custody since 06.10.2020. He is said to be having no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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), Purnea, in connection with Baisi PS. Case No. 243 of 2020, Special Excise Case No. 412 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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