

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4182 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- KAMTAUL District- Darbhanga

KEWAL RAM Son of Jamun Ram Resident of Village - Paunad, P.S.-
Kamtaul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 01.11.2020 in connection with Kamtaul P.S. Case No. 260/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 272/273/120(B) of the Indian Penal Code.

As per the prosecution case, on a secret information that huge quantity of foreign liquor is being unloaded from a truck, a raid was conducted and this petitioner along with other accused persons were apprehended on the spot and on search, 1530 litres of foreign liquor has been recovered from the said truck.

It is submitted on behalf of the petitioner that nothing



has been recovered from the possession of the petitioner. It is further submitted that petitioner is simply a labour and he was not aware about the nature of consignment. It is next submitted that petitioner is neither the driver nor the owner of the truck in question. Petitioner has got no criminal antecedent as stated in paragraph No. 3 of the petition and he is in custody since 01.11.2020.

Considering the fact that nothing has been recovered from the possession of the petitioner, coupled with the fact that he has got no criminal antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Darbhanga, in connection with Kamtaul P.S. Case No. 260/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.



(2) If the petitioner tempers 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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