

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION
CRIMINAL MISCELLANEOUS No.12806 of 2021**

Arising Out of PS. Case No.-716 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SUNIL RAM S/o Jagdish Ram Resident of Village- Malukibigha, P.S.-
Aurangabad Mufasil, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-06-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Aurangabad Excise Case No. 716/2020,
C.I.S. No. 716/2020 registered for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise Act, 2018.

As per prosecution story, the informant while on
checking the vehicles near Gayatri Bhawan over bridge N.H.2,
in the meantime, unregistered Tempo going towards the Gaya
side was directed to stop and on search from the Tempo total
85.5 liters of illicit country made liquor was recovered.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is the driver of the Tempo in question, petitioner has no criminal antecedent and he is in custody since 13.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is the driver of the vehicle carrying illicit liquor, investigation against him is complete and he is in jail since 13.08.2020, this court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional district & Sessions Judge – VII – cum – Special Judge (Excise), Aurangabad, in connection with Aurangabad Excise Case No. 716/2020, C.I.S. No. 716/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

