

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8096 of 2021

Arising Out of PS. Case No.-144 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Md Saifuddin Son of Mahbul Resident of Daulatpur, P.S.- Baisi, District-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-04-2021 Heard learned counsel for the parties through virtual
mode.

The petitioner seeks bail in Purnea Excise C1 Case
No. 144 of 2020, registered for the offence under Section 30(a)
of Bihar Prohibition and Excise Act.

As per the prosecution case, during checking of the
vehicles, a truck, bearing registration no. NL01D-8687 was
intercepted and upon search, 1179 liters of illicit liquor was
recovered and the petitioner, being cleaner of the truck, was
arrested, whereas, driver of the truck succeeded in fleeing away.

It is submitted on behalf of the petitioner that
petitioner is cleaner of the aforesaid truck and nothing has been
recovered from his conscious possession. Petitioner, being
cleaner of the truck, was unaware of the nature of the
consignment, which was being transported in the truck.



Petitioner claims clean antecedent and he is in custody since 14.07.2020.

Considering the period of custody, clean antecedent of petitioner and the fact that nothing has been recovered from conscious possession of the petitioner, the bail application of petitioner is allowed. Let the above named petitioner 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 learned Special Judge (Excise), Purnea in connection with Purnea Excise C1 Case No. 144 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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