

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9752 of 2021

Arising Out of PS. Case No.-1114 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Amrendra Kumar Singh @ Amrendra Kumar aged about 30 years (Male) Son
of Mithlesh Singh Resident of Village-Kanbehari, P.S.- Muffasil, Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Mr.Md. Arif,APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-06-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Excise Case No. 1114 of
2020, registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act.

120 liters of country-made liquor has been recovered
from a Swift Dzire Car and the petitioner, being driver of the
vehicle, was apprehended on the spot.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner.
Petitioner, being driver of the vehicle, was not aware about the
nature of consignment. He was simply driving the car following
the instruction of the owner of the car. Petitioner claims clean
antecedent and he is in custody since 02.11.2020.



Learned A.P.P. for the State has opposed the bail application.

Considering the nature of allegation and the fact that nothing has been recovered from conscious possession of petitioner coupled with the fact that petitioner has got clean antecedent, the bail petition 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 Additional District and Sessions Judge II-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No. 1114 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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