

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64284 of 2021

Arising Out of PS. Case No.-330 Year-2021 Thana- BARUN District- Aurangabad

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ARUN KUMAR Son of Balram Mehta Resident of Village- Hanaiya, P.S.-
Kutumba, District- Aurangaba (Bihar).

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Aman Vishal, Advocate.

For the State : Mr. Md. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 29-11-2021 The applicant/accused in Crime No.330 of 2021 registered with Police Station-Barun for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 by this application is seeking regular bail.

Heard learned counsel appearing for the applicant/accused.

He submits that the applicant is absolutely having no criminal antecedent. He submitted that according to the prosecution, he was arrested and the car in his possession was found to be having 435 liters of country made liquor.

Learned Prosecutor opposed the application by contending that the offence is serious one punishable with life imprisonment. He submitted that the investigation is yet to be



over.

I have considered the submissions so advanced.

This application is heard out of turn as the learned counsel appearing for the applicant has pointed out that there is death in the family.

I have perused the F.I.R. as well as the seizure list.

Major part of the investigation is already over. The seizure list is also effected. The applicant is having no criminal antecedent. Hence, further pre-trial detention of the applicant is not warranted. It is not pointed out that there is chance of the applicant jumping the bail. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.330 of 2021 registered with Police Station-Barun for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 be released on bail on executing P.R. bond of Rs.15000/-(Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing



such facts to the Court or to any police officer.

(II).The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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