

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1829 of 2022

Arising Out of PS. Case No.-780 Year-2021 Thana- ARARIA District- Araria

BALWINDAR SINGH S/o Gurmel Singh Resident of Village - Salua Bala,
P.S. - Nabha, District - Patiyala (Punjab).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 2504.250 litres of IMFL was recovered from the truck of which the petitioner was the driver.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession or from his truck. He has been falsely implicated in the case. The petitioner has neither any concern with the seized liquor nor with the truck in question. He is in custody since 7.9.2021 and has no criminal antecedent. It is further submitted that a supplementary affidavit has been filed sworn by the wife of the petitioner stating therein about the death of the mother of the petitioner on 4.3.2022 and that the petitioner is the only son of his parents.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Araria P.S. Case no. 780 of 2021 (Special Excise Case no. 759 of 2021) on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Araria on the following conditions :

- (i) one of the bailors of the petitioner shall be his wife.
- (ii) the other bailor of the petitioner shall be a resident of a place within the jurisdiction of the learned trial Court.
- (iii) the petitioner shall be properly represented on each date of the case.

In case of violation of the conditions laid above or in case the petitioner is not cooperating in the trial, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

