

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2160 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- BANGARA District- Samastipur

Dinesh S/O Karshan R/O Village- Rohana, P.S.- Kharkhaida, Distt.- Sonipat,
Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-06-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Dilip Kumar Roy, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with N.H.Bangra P.S.Case No. 105 of 2021 for
the offences punishable under Sections 30(a) 41(1) of the
Bihar Prohibition & Excise Act.

As per the prosecution case, it is alleged that on
secret information, police party apprehended a tractor, on
which, some persons were carrying illicit liquor by keeping
it in the Septic tank and the driver of the said tractor was



caught by the police. On search being made total 1178.280 liters foreign made liquor was recovered. It is further alleged that the said tractor was driven by this petitioner.

It is submitted by the learned counsel for the petitioner that petitioner happens to be the driver of the said tractor was not aware as to what was being loaded in the septic tank by the consignor. It is further submitted that he has no concern either with the tractor or articles which were loaded therein. It is also submitted that this petitioner is in custody since 04.10.2021 having clean antecedent. Though, the investigation has already been concluded and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner is driver of tractor and altogether 1178.280 liters foreign made liquor was recovered from the tractor.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is driver of the tractor and moreover, he is in custody since 04.10.2021, apart from the fact that investigation has already been completed and charge sheet has been



submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Samastipur in connection with N.H. Bangra P.S.Case No. 105 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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