

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5506 of 2022

Arising Out of PS. Case No.-806 Year-2021 Thana- SHERGHATI District- Gaya

Saurav Kumar, S/O Raju Prasad, Resident of Horilganj, P.S.- Town
Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-06-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Vinod Kumar, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Sherghati (Dobhi) P.S. Case No. 806 of 2021
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, it is alleged that on
05.12.2021, the police intercepted one Indigo vehicle, bearing
registration no. BR1AA 0963 and the petitioner was found
sitting in the said vehicle. It is further alleged that on search
being made total 87.37 litres of foreign liquor was recovered



from the said vehicle.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner is neither the owner of the vehicle nor he has any concern with regard to the alleged recovery. It is further submitted that only because of the fact that he was present at the place of occurrence, the name of the petitioner has been implicated in this case. It is next submitted that the petitioner is in custody since 06.12.2021 having fair antecedent, however, the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner was apprehended by the police while he was going from the vehicle, from which the alleged recovery has been made.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is in custody since 06.12.2021 having fair antecedent, though the investigation is already completed and charge-sheet has been submitted in this case, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-



cum-Special Judge, Excise Act, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 806 of 2021 subject to the condition that one of the bailors will be the local residents 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)

uday/-

U		T	
---	--	---	--

