

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5553 of 2022

Arising Out of PS. Case No.-355 Year-2021 Thana- BAISI District- Purnia

SURAJ KUMAR SON OF MASTER RAY R/O VILLAGE- NAYA TOLA,
P.S.- AVTARNAGAR, DISTRICT- SARAN AT PRESENT RESIDENT OF
C/O- SONU PRASAD HOUSE, MITHAPUR BUS STAND, P.S.-
JAKKANPUR, DISTRICT- PATNA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the stamp reporter within

one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Baisi P.S. Case No. 355 of 2021, registered for
the offences punishable under Sections 272, 273 of the Indian
Penal Code read with under Section 30 (A)/41/47 of Bihar
Prohibition and Excise Act, 2016.

As per FIR, a truck was intercepted by the police
where from 846 litres of liquor was recovered. Two persons
after getting down from that truck started fleeing away but they



were apprehended by the police. They disclosed their names as Dheeraj Kumar who was the driver of that truck and the petitioner Suraj Kumar was the co-driver.

Learned counsel for the petitioner has submitted that the petitioner is a *khalasi* of that truck and he has no concern with the consignment loaded in the truck. He is a person of clean antecedents and under custody since 06.12.2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea in connection with Baisi P.S. Case No. 355 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the



petitioner and the learned court below will take decision in
accordance with law.

Office shall ensure that all defects are removed by the
petitioner within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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