

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6415 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- BIDUPUR District- Vaishali

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Anish Kumar @ Akshay, S/O Late Sarvan Singh, @ Satish Chandra Bharti
Resident Of Village Ward No. 13, Maile, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 253 of 2021 registered for the alleged offences under Sections 30(a)/41(i) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that police received secret information about large consignment of illicit liquor being brought on a truck by the petitioner and other co-accused persons. When the police reached near that truck, the petitioner and other co-accused persons fled away from there and 6552



litres of India made foreign liquor was seized from the said truck.

The learned counsel for the petitioner submits that the petitioner has got no concern with the recovery of liquor or with the truck seized by the police. The petitioner was neither present at the place of occurrence nor anything incriminating has been recovered from his possession. Except for suspicion based on secret information, there is nothing against this petitioner who resides in Bangalore. Charge-sheet has been submitted in this case and the petitioner is in custody since 07.12.2021

Learned APP opposes the prayer for bail submitting that a huge quantity of liquor has been seized and the petitioner is having criminal antecedents.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been apprehended from the spot and further considering the fact that charge-sheet has been submitted and also considering the period of the custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court no.1 -cum-Additional District & Sessions Judge, Vaishali at Hajipur



in connection with Bidupur P.S. Case No. 253 of 2021, subject
to the following conditions :

(i) The bail bond of the petitioner will be accepted
only after framing of charge, if not already
framed.

(ii) One of the bailors will be a close relative of
the petitioner.

(iii) The petitioner will remain present on each
and every date fixed by the court below.

(iv) In case of absence for three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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