

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8626 of 2022

Arising Out of PS. Case No.-104 Year-2019 Thana- GANGABRIDGE District- Vaishali

Chhotan Pal Son of Late Babu Lal Pal R/O - Raily English, P.O.- Raily, P.S.-
Pandarak Alias N.T.P.C. Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary
For the Opposite Party/s : Mr. Bharat Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Ganga
Bridge P.S. Case No. 104 of 2019 registered for the offence
under Sections 30(a) and 38(i) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 26.11.2021.

The allegation against the petitioner is that he is the
owner of the truck which was used in the transportation of



816.120 liters of illicit liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is about 80 years old senior citizen and for the single reason being the owner of the alleged tractor from which illicit liquor was recovered, he has been named in this case. While arguing over the matter, it is further submitted that petitioner had sold the said tractor to one Surendra Yadav on 05.05.2017. It is further submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State fairly conceded that the document on record suggest that alleged tractor has been sold by the petitioner in 2017 itself.

Considering the facts and circumstances as mentioned above, as the petitioner is the owner of the tractor which was sold to one Surendra Yadav on 05.05.2017 coupled with fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Ganga Bridge P.S. Case No. 104 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur, subject to the following



condition:

“That one of the bailors shall be
the close relative of the accused/petitioner
like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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

