

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8785 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- PANDAUL District- Madhubani

ARVIND KUMAR, SON OF PUNNI LAL RESIDENT OF VILLAGE- RAI
MICHLOLA, POLICE STATION- AURAS, DISTRICT- UNNAW (UTTAR
PRADESH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Pandaul
P. S. Case No. 234 of 2021, registered for the offences
punishable under Sections 272, 273 and 34 of the Indian
Penal Code and Section 30(a)/36/38/41(1) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation, 2145.6 litres of liquor was
recovered from a truck, which was alleged to have been
driven by the petitioner.

The learned counsel for the petitioner submits that
the petitioner was the driver of the vehicle but he had



nothing to do with the alleged recovery of liquor. He had no knowledge of the liquor, loaded in the truck and he was driving the vehicle as per the direction of the owner of the vehicle.

The petitioner is in custody since 13.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved before this Hon'ble Court earlier for grant of either anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Session Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Pandaul P. S. Case No. 234 of 2021 on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of



the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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