

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11015 of 2022**

Arising Out of PS. Case No.-14 Year-2022 Thana- KUTUMBA District- Aurangabad

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ARUN KUMAR S/o- Bindeshwar Prasad Resident of Village - Sohagiya, P.S.
- Muffasil, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2022 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 a period
of four weeks from today.

The petitioner seeks bail in connection with Kutumba
P.S. Case No. 14 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.01.2022.

The allegation against the petitioner is to drive alleged
vehicle bearing Registration No. JH10H-6830, loaded with
illicit foreign made liquor total of 606 litres.

Learned counsel appearing on behalf of the petitioner
submitted that nothing has been surfaced during course of the



investigation, which may suggest that the petitioner being driver is under knowledge as regard to alleged consignment of illicit foreign made liquor. While concluding the argument, it has further been submitted that the petitioner is man of clean antecedent and charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the petitioner is driver of the alleged vehicle.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of the investigation, which may suggest that the petitioner is under knowledge of the consignment of alleged illicit liquor, who is man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Kutumba P.S. Case No. 14 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-I, Aurangabad, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the



Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Meena Devi, who is the Mother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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