

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12823 of 2022

Arising Out of PS. Case No.-1055 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Upendra Singh Son of Late Damador Singh R/o Village- Gayaspur, P.S.-
Paroo, District- Muzaaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within 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 Sadar (Hajipur) P.S. Case No. 1055 of 2021
registered for the alleged offences under Sections 420, 272, 273
of the Indian Penal Code and Sections 30(a), 32(2)(3), 33, 41,
47 of the Bihar Prohibition and Excise Act.

Allegedly the petitioner, a driver of a truck was
apprehended on secret information that illicit liquor was being
loaded on that truck. The raid resulted in recovery of 2664 liters
of illicit liquor from the said truck.



Learned counsel for the petitioner submits that the petitioner is not the owner of the truck and he is one of the drivers and he was handed over the vehicle by another driver namely Neeraj to take the truck to its destination. The petitioner has no knowledge about the consignment which was loaded on the truck. He proceeded with the truck on trust. The petitioner has got clean antecedent and he is in custody since 02.12.2021. The other co-accused persons who were apprehended from the spot have been granted bail by a coordinate Bench vide order dated 13.04.2022 passed in Criminal Misc. No. 9825 of 2022.

Learned A.P.P. for the State opposed the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the other co-accused persons have been allowed bail and further considering the period of custody of this petitioner, he 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 I-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Sadar (Hajipur) P.S. Case No. 1055 of 2021, subject to the following conditions :



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

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

(iii) 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)

ved/-

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

