

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11694 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- MUSRIGHRARI District- Samastipur

Ravindra Singh, S/o Late Ram Pravesh Singh, Resident of Village-
Sahebganj, P.S.- Sahebganj, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 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 Musarigharari P.S. Case No. 165 of 2021(Excise G.R. No. 1275/2021) registered for the alleged offences under Sections 30(a), 40(i)(ii) of the Bihar Prohibition and Excise Act.

The prosecution case is that on receipt of secret information that illegal liquor was being carried in a truck, the said truck was searched and total 1784.85 liters of Indian made country made liquor was recovered from the said truck. The

petitioner was apprehended from the spot and is stated to be the driver of the said truck.

The learned counsel for the petitioner submits that nothing incriminating has been recovered from the possession of the petitioner. Though, the said recovery has been made from the truck being driven by the petitioner, he works on command of his owner and was not aware about the consignment loaded on the truck. The petitioner is a poor man and is in custody since 27.11.2022. Charge sheet has been submitted. The petitioner has got no criminal antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the period of 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 Special Judge, Excise Court No. 1, Samastipur in connection with Musarigharari P.S. Case No. 165 of 2021 (Excise G.R. No- 1275 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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