

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12881 of 2022

Arising Out of PS. Case No.-371 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Pintu Kumar S/o Pramod Prasad Resident of Itwa, P.S.- Haspura, District-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Pushpa Sinha

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 Daudnagar P.S. Case No. 371 of 2021
registered for the alleged offences under Sections 272, 273,
120(B) of the Indian Penal Code and Section 30(a), 34, 36 of the
Bihar Prohibition and Excise Act.

The prosecution case is that on secret information one
Tata Sumo vehicle was intercepted and about 434 liters of illicit
liquor was recovered. Two co-accused persons were
apprehended from the spot after chase and they named the



petitioner alongwith other co-accused persons as being involved in the supply of liquor.

The learned counsel for the petitioner submits that the petitioner is innocent and he was not apprehended from the spot and nothing incriminating has been recovered from the possession of the petitioner. The petitioner has been named in other two criminal cases in similar manner and he was made accused on the basis of confessional statement of apprehended accused persons. Learned counsel for the petitioner further submits that the other two co-accused persons who have been apprehended from the spot have been granted bail by co-ordinate Benches vide order dated 09.03.2022 passed in Cr. Misc. No. 51662 of 2021 and order dated 30.03.2022 passed in Cr. Misc. No. 50285 of 2021. The petitioner is in custody since 25.01.2022.

Learned A.P.P. for the State has opposed the prayer of bail of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the petitioner has not been apprehended from the spot and the persons who were apprehended from the spot have been granted bail by the Co-ordinate Benches, 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 Additional Sessions Judge-IX-cum-Special Judge, Excise-II, Aurangabad in connection with Daudnagar P.S. Case No. 371 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner shall 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.

(Arun Kumar Jha, J)

ved/-

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