

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13787 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- JANDAHA District- Vaishali

SHARVAN KUMAR Son of Shivjee Singh Resident of Village - Sahdullapur,
P.s.- Ganga Bridge, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with
Jandaha P.S. Case No. 08 of 2022 registered for the offences
punishable under Section 414 of the I.P.C. and Section 30(a) of
the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 66.960 litre illicit foreign liquor from the tempo in question
which was being driven by the petitioner and he was
apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 11.01.2022 and bears no criminal



antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that tempo in question does not belong to petitioner and he was not aware about the whereabouts of contents of the tempo. Nothing has been recovered from conscious possession of the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd, Vaishali, Hajipur in connection with Hajipur Sadar P.S. Case No. 560 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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