

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15353 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- BYPASS District- Patna

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RAJU KUMAR SON OF MUNNA RAM @ MUNNA RAI RESIDENT OF
VILL- FATEHJAMPUR, P.S- NADI, DIST- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bypass
P.S. Case No. 67 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 17.02.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there was total recovery
of 200 litres of illicit country made liquor from Tempo.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is driver of the alleged vehicle from where recovery of illicit liquor has been made. It has further been submitted that the petitioner is involved in one case, which is not of Excise Act. It has further been submitted that nothing surfaced during course of the investigation, which may suggest that the petitioner was under knowledge of consignment of illicit country made liquor. While concluding the argument, it has been submitted that 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 petitioner is driver.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of the investigation, which may suggest that the petitioner was under knowledge of consignment of illicit liquor 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 Bypass P.S. Case No.67 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 Act, Patna City, subject to the following conditions:



“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) 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.

(iii) That one of the bailors shall be Soni Devi, who is the mother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen-

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