

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17168 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- CHENARI District- Rohtas

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Rai Singh S/O Manish Singh R/o village- Gopalpura, P.S.- Pairora, District-
Agra (U.P.O)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Chenari
P.S. Case No. 240 of 2021 registered for the offence under
Sections 420, 272, 273, 467, 468, 471, 414 and 120(B) of the
Indian Penal Code and Sections 30(a), 32(iii), 36 and 41(i) of
Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 16.10.2021.

The allegation against the petitioner is to have in
possession of 4409 liters of IMFL, which was recovered from a
truck bearing Registration no. RJ 11 GB 6585.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is the cleaner of the alleged vehicle



from where recovery of illicit foreign liquor was made. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was aware of the illegal consignment loaded in the vehicle. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that petitioner is the cleaner of the alleged vehicle, as per F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced during the course of investigation, which may suggest that petitioner was aware of the illegal consignment loaded in the vehicle coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chenari P.S. Case No. 240 of 2021 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-II-cum-Special Judge, Excise-I, Rohtas at Sasaram, subject to the following conditions:



“(i) 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.

(ii) That one of the bailors shall be Manish @ Manish Singh, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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