

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17985 of 2022

Arising Out of PS. Case No.-261 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Sujit Kumar, Son of Ram Jatan Yadav, Resident of Village - Kayamchak
(Bhojpatti), P.S. Kewati, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 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 G.O. Case No. 261 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegedly, total 225 litres of Nepali country made liquor was recovered from a vehicle being driven by co-accused Aman Kumar and the petitioner was sitting in the vehicle.

The learned counsel for the petitioner submits that



the petitioner has no concern with the seized liquor or the vehicle from where liquor has been seized. It is obvious that the petitioner is neither the owner nor the driver and he was merely a co-passenger returning home from on the said vehicle. But he was arrested only on the basis of suspicion. The charge-sheet has been submitted in this case and the petitioner is in custody since 03.09.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted in this case and the petitioner is in custody since 03.09.2021, he 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 District and Sessions Judge-II-cum-Special Judge Excise, Madhubani, in connection with G.O. Case No. 261 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) Petitioner will not commit similar type of



offences in future.

(iv) In case of absence on 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)

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