

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18667 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- RAJAOLI District- Nawada

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SANJEET KUMAR RAY SON OF GANESHI RAY R/O VILLAGE-
SULTANPUR, P.S.- HAJIPUR INDUSTRIAL AREA, DISTRICT-
VAISHALI (HAJIPUR)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-07-2022 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.

The petitioner seeks bail in connection with Rajauli

P.S. Case No. 06 of 2022 registered for the offences punishable

under Sections 30(a) and 41 of Bihar Prohibition and Excise

Act, 2016.

As per prosecution case, after seeing the police

personnel one person tried to flee away from a Pick-up van, but

he was apprehended by the police force. On inquiry,

apprehended person disclosed his name as Sanjeet Kumar Ray

(Present petitioner). On search total 477 litres foreign liquor was



recovered from the van in question.

Learned counsel for the petitioner submits that petitioner is in custody since 07.01.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner is not the owner of the vehicle nor is he the driver of vehicle. The petitioner was seated in vehicle as traveller. The petitioner has no knowledge about the liquor. Seizure list is not made according to Section 100 of Cr.P.C.

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

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, charge-sheet has already been submitted 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 Exclusive Special Excise Court No. 2nd, Nawada in connection with Rajauli P.S. Case No. 06 of 2022,



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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