

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18559 of 2022**

Arising Out of PS. Case No.-361 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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KISHORE KUMAR RAY SON OF PARMESHWAR RAY R/O VILLAGE-
DHERHDWAR, P.S.- NAWHARA, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr.A.G.

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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 virtual court proceeding.

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 Excise Case No. 361C2/2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegedly the petitioner was apprehended from a vehicle, from which 107 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as he is



neither the owner nor the driver of the seized vehicle and has no concern with the recovery of liquor. In fact the petitioner has taken lift in the said vehicle and was not even aware of the contraband kept in the vehicle. Learned counsel further submits that charge sheet has been submitted in this case and the petitioner is in custody since 30.10.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submission made hereinabove and considering the fact that the charge sheet has been submitted and the petitioner is in custody since 30.10.2021, the petitioner above named 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 & Sessions Judge-IV-Cum-Special Judge, Excise, Jamui in connection with Excise Case No. 361C2/2021, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

- (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) The petitioner will not indulge in 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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