

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18185 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- NAVINAGAR District- Aurangabad

INDERJEET @ INDRAMOHAN JAISHWAL @ INDRAJEET JAISWAL
Son of Gauri Shankar @ Gaurishankar Jayaswal Resident of Ward No.7,
Dalmianagar, Police Station- Dalmianagar, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mrs. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2022 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 Nabinagar P.S. Case No. 51/2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of total 1800 liters illegal liquor from Bolero vehicle in question. The petitioner was not apprehended on the spot. Apprehended co-accused, Hakim Ansari disclosed the name of the petitioner.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. The petitioner was not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner. Apprehended co-accused, Hakim Ansari had disclosed the name of the petitioner. The petitioner has no concern with the seized vehicle or the liquor. The petitioner is languishing in custody since 20.02.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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, petitioner was not apprehended on the spot, charge sheet has already been submitted and keeping in view clean antecedent of petitioner 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 Special Judge, Excise-1st, Aurangabad in connection with Nabinagar P.S. Case No. 51/2022, 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)

amitkumar/-

U		T	
---	--	---	--

