

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22067 of 2022

Arising Out of PS. Case No.-273 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Surenbra Singh, S/O Ran Singh, Resident of Gorakh (Gorar) (52-R),
Sonipath, P.S.- Kharkora, District- Sonipath, Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-08-2022 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 Durgawati P.S. Case No. 273 of 2021 registered for the alleged offences under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that, during anti liquor drive, vehicles were being checked and a truck was intercepted and from this truck, 2484 litres of India made foreign liquor was recovered and this petitioner was apprehended, who was trying to flee away from the stop. The petitioner is stated to be the



cleaner of the truck.

The learned counsel for the petitioner submits that the petitioner has no knowledge about the consignment, basically he is the cleaner (*Khalasi*) of the truck and has no idea about what was loaded in the consignment. He is neither the driver nor the owner of the said vehicle. Charge-sheet has been submitted and the petitioner is in custody since 11.12.2021 and he has got no criminal antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is stated to be a cleaner and further considering the submission of charge-sheet in this case along with the period of custody of the petitioner, 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 Special Judge Excise-cum-Additional District Judge-II, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 273 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be Jitendra, cousin



brother of the petitioner, who has sworn the affidavit in this case.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) 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)

Rajnish/-

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

