

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23065 of 2022

Arising Out of PS. Case No.-82 Year-2022 Thana- DARAUNDA District- Siwan

GAJENDRA SINGH @ GOLU SINGH Son of Late Rajesh Kumar Singh
Resident of Village - Merahi, P.S. - Daraunda (M.H. Nagar), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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 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 Daraunda (M.H. Nagar) P.S. Case No. 82 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, from the vehicle being driven by this petitioner, 129.120 liters of illicit foreign liquor was recovered. The petitioner was apprehended from the spot.

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



innocent. He was not aware about illicit liquor concealed in the vehicle. The petitioner is merely a driver who was paid Rs. 500 per day and has been driving the vehicle at per instruction of owner. Nothing incriminating has been recovered from his person or possession. Charge sheet has been submitted in this case and the petitioner is in custody since 31.03.2022. The petitioner has got no criminal antecedent.

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

Having regard to the submissions made hereinabove and considering the fact that the petitioner is driver and he has got no criminal antecedent and further considering the submission of charge sheet as well as period of custody of this 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 Exclusive Special Excise Court No. 1, Siwan in connection with Daraunda (M. H. Nagar) P.S. Case No. 82 of 2022, 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 a close



relative of the petitioner.

(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)

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