

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27658 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- CHACKMEHSI District- Samastipur

BALJIT SINGH @ BALJEET SINGH SON OF YASHVIR SINGH @
YASHVEER SINGH R/O VILLAGE- SOPAD, WARD NO.-10, P.S. AND
DISTRICT- SOPAD, STATE- MADHYA PRADESH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-08-2022 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
Chakmeshi P.S. Case No. 21 of 2022 registered for the offences
punishable under Sections 30(a), 32(ii), and 48(i) of the Bihar
prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, there is alleged recovery
of 4257 liters foreign liquor from the truck in question.
Petitioner was apprehended on the spot.

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



case due to dirty village politics. Nothing has been recovered from the house or conscious possession of the petitioner and his name has surfaced in this case on the basis of suspicion merely for a reason that he happens to be the driver of the seized truck without having the knowledge that illicit liquor is loaded in the truck. Petitioner is in custody since 05.02.2022. Petitioner bears no criminal antecedent Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case 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 Special Excise Court-I, Samastipur in connection with Chakmehsi P.S. Case No. 21 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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