

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26978 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- CHAKAI District- Jamui

=====

Satish Kumar S/o Ranjeet Kumar @ Ranjeet Prasad Resident of Village-
Kadra, P.S.- Ghoswari, Dist- Patna, Presently at Mohalla- Shivpuri, Ward
No.14, Near Neeraj Maemoral School, P.S.- Bhuli, District- Dhanbad
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. N. K. Nirala, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Prabhat Ranjan Singh, learned counsel for
the petitioner as well as N. K. Nirala, learned Additional Public
Prosecutor for the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Chakai P. S. Case No. 27 of 2022
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and 30 (a)/41 of the Bihar Prohibition
and Excise (Amendment) Act.

As per the prosecution case, it is alleged that while



the Police party was on patrolling duty, on suspicion, they apprehended on white coloured Yudha Tata Pick-Up Van, which was being driven by this petitioner. It is further alleged that on search, altogether 1326.75 litres illicit Indian made foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner happens to be a poor driver and the vehicle in question runs on rent/hire by the owner/transporter and he was even not aware as to what was loaded by the consigner and moreover, the petitioner has neither any concern with the alleged recovered illicit wine nor he has any how concern with the vehicle in question. It is next submitted that the petitioner is a man of fair antecedent and is in custody since 09.02.2022.

On the other hand, learned APP for the State opposes the bail application.

Having considered the submissions made on behalf of the parties and taking into account the fact that the petitioner is a driver of the vehicle in question, which runs on rent/hire by owner/transporter and moreover he is in custody since 09.02.2022, having fair antecedent and the investigation of the crime is already completed and the charge sheet has been



submitted and there is no likelihood of commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd Jamui in connection with Chakai P. S. Case No. 27 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

shakir/-

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

