

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28028 of 2022**

Arising Out of PS. Case No.-69 Year-2022 Thana- PHULWARIYA District- Gopalganj

Ajeet Kumar Singh @ Ajeet Kumar, Son of Rajdev Singh Resident of Village
- Piprahiya, P.s.- Esuwapur, Distt.- Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-08-2022 No one appears on behalf of the petitioner. Learned
APP for the State is present through virtual mode in view of
COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Phulwariya P.S. Case No.69/2022 instituted under Section
30(a) of Bihar Prohibition & Excise Act.

The prosecution case, in short, is that during police
patrolling, one white colour Bolero bearing registration
no.BR06PA 4980 vehicle was stopped in which two persons
were travelling and tried to escape. Although one managed to
escape, the other was caught and disclosed his name as Ajeet
Kumar. After search of Bolero vehicle, 74.730 illicit liquor
were found for which seizure list was prepared and FIR was
lodged.



As per the averments made in the bail application, the alleged recovery has been shown from the Bolero Car. Further averments made in the bail application shows that the petitioner is neither the driver nor the owner and is custody since 27.02.2022 (as stated in para-11 of the bail application) as also that he has no criminal antecedent.

Considering the fact that the petitioner has no criminal antecedent and is in custody since 27.02.2022 as also that the charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Phulwariya P.S. Case No.69/2022 to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Excise Court No.1, Gopalganj, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his/her



bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his/her presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his/her bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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