

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27851 of 2022**

Arising Out of PS. Case No.-7 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

Indrajeet Kumar @ Indrajeet Kumar Chaudhari Son Of Maheshwar
Chaudhari R/O Village- Sarfuddinpur, P.S.- Bochha, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Umesh Kumar Singh, learned counsel
for the petitioner as well as learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in
connection with Excise Case No. 07 of 2022 for the
offences punishable under Sections 30(a) of the Bihar
Excise (Prohibition) Amendment Act, 2018.

As per the prosecution case, it is alleged that while
the Excise police was conducting vehicle checking, they
apprehended one Mahindra TUV vehicle and on search



total 109.350 liters country made foreign liquor were recovered. It is further alleged that the petitioner was apprehended while he was driving the vehicle.

Learned counsel for the petitioner submits that petitioner happens to be driver of the vehicle in question was not even aware as to what was loaded by the owner of the vehicle. It is next submitted that the vehicle in question runs on rent/fare and as such petitioner had neither any concern with the vehicle nor with the illicit liquor. It is next submitted that this petitioner is in custody since 14.04.2022, having no criminal antecedent.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner happens to be driver was not even aware as to what was being carried by the owner and moreover, he is in custody since 14.04.2022, having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge IV cum Special Judge Excise , Gopalganj
in connection with Excise Case No. 07 of 2022 subject to
the condition that one of the bailors will be the close
relatives 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)

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