

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28972 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Gopi Singh, Son of Badan Singh, Resident of Village - Okhla , Phase -1, B-222, New Delhi, P.s.- Okhla, Distt.- Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and
learned APP for the State.

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 Excise Case No. 03 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, total 158.250 litres of India made foreign liquor was recovered from a car which was being driven by this petitioner.

The learned counsel for the petitioner submits that the



petitioner is merely a driver and he was not aware about the illicit liquor which was loaded in the dickey of the said car. Nothing incriminating has been recovered from his conscious possession. Charge-sheet has been submitted and the petitioner is in custody since 04.01.2022. The petitioner has got clean antecedent

Learned APP opposes the prayer for bail submitting that the petitioner was apprehended from the spot when the vehicle was intercepted and recovery of 158.250 litres of illicit liquor has been made.

Having regard to the submissions made hereinabove and considering the submission of charge-sheet along with period of his custody, 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 Additional District and Sessions Judge-IV-cum-Special Excise Court-II, Gopalganj in connection with Excise Case No. 03 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the other following conditions:

- (i) One of the bailors will be Surveen, sister of the petitioner, who has sworn the affidavit.



(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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