

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28753 of 2022

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

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SANJIT KUMAR S/o Late Lakshman Sahni Resident of Village- Patepur
Gopinath, Ward No.5, P.S.- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Md. Nazir Ansari

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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

Chakmehsi 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 from 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 and conscious possession of the petitioner and his name was surfaced in this case on the basis of suspicion merely for a reason that he had taken the lift in the truck and the petitioner had no knowledge of the said 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 Specil 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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