

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39729 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- PARSABAZAR District- Patna

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Ram Bhawan Kumar @ Luman Kumar Son of Late Pappu Kumar Resident of
Village - Chak Jiya, Deodaha, P.S.- Dhanarua, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Uday Prasad Singh, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-01-2022 Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

Petitioner who is in custody since 10.2.2021 seeks
regular bail in connection with Parsa Bazar P.S. Case No. 60 of
2021 for the offence punishable under section 30(a) of Bihar
Prohibition and Excise Act.

The case of the prosecution in brief is that 300 illicit
country made liquor was recovered from the Tempo bearing
registration no. BR01PK-9136.

Learned counsel appearing on the behalf of the
petitioner submits that the petitioner is only driver of the
aforesaid vehicle and he was engaged by the owner of the
vehicle on daily wages. Learned counsel further submits that



there is no criminal antecedent against the petitioner and he was directed by the owner of the vehicle to deliver the consignment to a particular place without giving knowledge of the consignment. He further submits that other co-accused has already been released on bail by the coordinate bench of this Court vide order dated 13.8.2021 passed in Cr. Misc. No. 30253 of 2021.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner. He further submits that there is rampant illegal sale of liquor in the State of Bihar and the complicity of the petitioner cannot be ruled out.

Considering the above mentioned facts and circumstances of the case and taking into consideration the fact that this is the first offence committed by the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 2,00,000/- (Two lakh) with two sureties of the like amount each to the satisfaction of learned Special Sessions Judge Excise, Patna, in connection with Parsa Bazar P.S. Case No. 60 of 2021 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioners are found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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