

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40336 of 2021**

Arising Out of PS. Case No.-125 Year-2021 Thana- KARJA District- Muzaffarpur

=====

SANDEEP KUMAR S/O SURENDRA RAM R/O VILLAGE-MANI PHUL
KAHAN, P.S-KANTI, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anjana
For the Opposite Party/s : Mr. Shaheen Begum

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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

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

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

Petitioner who is in custody since 02.06.2021 seeks
regular bail in connection with Karja P.S. Case No. 125 of 2021
registered for offence punishable under Sections 272, 273,
414/34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case in brief is that altogether 198 litres
72 ml of India made foreign liquor was recovered from two
Scorpio vehicle. The petitioner was found unloading the illicit
liquor from vehicle bearing registration no. JH22C3382.



Learned counsel appearing on behalf of the petitioner submits that petitioner is labourer and he is innocent. He further submits that Petitioner is in custody since 02.06.2021 and he has got no criminal antecedent.

Learned A.P.P., however opposes the prayer for bail.

Considering the above mentioned facts and circumstances of the case, the petitioner is directed to be released on bail upon furnishing bail bond of Rs. 2,00,000/- (Rupees Two Lac) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Karja P.S. Case No. 125 of 2021 with a condition that one of the bailors shall be wife of the owner of the vehicle bearing Registration No. JH22C3382. In case, she refuses to appear before the Court then the Lower Court is directed to take appropriate action against her in accordance with law and in alternative, the petitioner may seek any respectable person of the area as a bailor. The other conditions are as follows:-

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

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioners temper 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.

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

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

