

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30801 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- KALER District- Jehanabad

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GURJEET SINGH SON OF AWATAR SINGH R/O- VILLAGE- TAKHTU
MAJRA P.S.- RAJPURA, DIST.-PATIYALA PANJAB AT PRESENT
CHAUHAN COLONY, P.G., RAJPURA, DIST.- PATIYALA, PUNJAB

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Pronoti Singh

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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 Excise

Case No. 172 of 2022 arising out of Kaler P.S. Case No. 05 of

2022 registered for the offences punishable under Sections

30(a)/42 of the Bihar Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery

of 2637.36 litres illicit foreign liquor from the truck in question.

The petitioner is alleged to be co-driver of the said truck.

Learned counsel for the petitioner submits that

petitioner is in custody since 18.01.2022. Petitioner bears no



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. Petitioner has no concern with the alleged liquor and vehicle. The petitioner had no knowledge about the liquor loaded in the truck.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court No. II, Jehanabad in connection with Excise Case No. 172 of 2022 arising out of Kaler P.S. Case No. 05 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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