

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43034 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- NAVINAGAR District- Aurangabad

PAPPU KUMAR Son of Sinod Thakur @ Pramod Thakur Resident of Village
- Bhawanokhap, P.S.- Nabinagar, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2022 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 06.05.2021 seeks
regular bail in connection with Nabinagar P.S. Case No. 93 of
2021 registered for offence punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

Prosecution case in brief is that altogether 270 litres
of different brads of Indian made foreign liquor was recovered
from the Santro car bearing Registration No.DL9CG-6173. It
has been alleged that one motorcycle belonging to the petitioner
bearing Registration No. BR26J-0171 has also been seized on



the allegation that petitioner has used the said motorcycle for transportation of liquor and the role of liner has been attributed to him in sell of illicit liquor in the State of Bihar.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is nowhere concerned with the alleged liquor which has been recovered from the Santro car bearing Registration No. DL9CG-6173. He further submits that the said car is not registered in his name. He has been made accused in this case on the coercion simply because he was passing through the said place of alleged occurrence and on suspicion, the authorities have apprehended him and he is in custody since 06.05.2021. He further submits that petitioner 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 and the petitioner having no criminal antecedent as well as nothing having been recovered from his conscious possession or from the motorcycle, the petitioner is directed to be released on bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-Cum-Special Judge Excise, Aurangabad in connection with Nabinagar



P.S. Case No. 93 of 2021 subject to the following conditions:

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

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

(iii) If the petitioner tampers 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 petitioner is 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)

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