

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37229 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- GANGABRIDGE District- Vaishali

Nirala Kumar, S/o Shankar Rai, Resident of Village and P.S.- Dariyapur Block, District- Saran at Chapra, at present address Village- Terasia East from Pillar No.10, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office be removed within four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Ganga Bridge P.S. Case No. 14 of 2022 registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

As per prosecution case, the recovery of 100 liters of country made *Chulai* liquor has been made from the petitioner who was riding a motorcycle when his motorcycle was intercepted on secret information about transportation of liquor.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. Another co-accused person, who was apprehended on Scooty along with 110 liters of country made liquor was granted bail by the learned court below. Charge sheet has been submitted in this case and the petitioner is in custody since 15.01.2022 and is having clean antecedent.

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

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No. 14 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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

(Arun Kumar Jha, J)

