

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44451 of 2021

Arising Out of PS. Case No.-174 Year-2021 Thana- PALIGANJ District- Patna

Subodh Kumar S/o- Chothan Varma Resident of Ratanpura, P.S.- Paligang,
District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-01-2022 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 1.6.2021 seeks
regular bail in connection with Paliganj P.S. Case No. 174 of
2021 registered for the offence punishable under section 420 of
the Indian Penal Code and Section 30(a) 37(b) (c) of Bihar
Prohibition and Excise Act, 2016.

Prosecution case in brief is that altogether 93.868
liters of illegal liquor was recovered from the Pick up Van
bearing registration no. BR-1AM-5199 and 6.37 liters from one
Innova Car bearing registration no. BR-01PB-7832 which were
coming from Mahabalipur to Paliganj.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is not owner of the Innova Car rather he is the driver of the said vehicle and the alleged seized liquor was of the owner of the vehicle. He further petitioner has clean antecedent and he is in custody since 1.6.2021.

Learned counsel appearing on behalf of the State has opposed the prayer for grant of bail.

Considering the above mentioned facts and circumstances of the case and the incident of the petitioner as well as the period of custody, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 100,000/- (One lakh) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna, in connection with Paliganj P.S. Case No. 174 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 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.

(4) If the petitioner 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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