

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47554 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

=====

ANKIT KUMAR S/o PRYAG SAH R/o VILLAGE-JALALPUR, P.S-
KUCHAIKOTE, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 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 06.06.2021 seeks
regular bail in connection with Excise Case No. 163 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 207 litres
of illicit liquor was recovered from Bolero vehicle bearing
Registration No. UP57D5065. Petitioner who was driving the
alleged vehicle was apprehended on the spot.



Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case and he is neither the owner of the aforesaid vehicle nor have any concern with the seized liquor rather he was coming from Bathuaa Bazar, Phulwariya, Gopalganj. At the best, he was just passing from the said place of occurrence and instead of arresting the owner of the vehicle, the police has arrested the petitioner illegally. He further submits that petitioner has clean antecedent and he is in custody since 06.06.2021.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case as well as there is no allegation of tampering the evidence or influencing the witness against the petitioner, the petitioner above named is directed to be enlarged to 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, Gopalganj in connection with Excise Case No. 163 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 his bail bond.

(Purnendu Singh, J)

Niraj/-

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

