

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40712 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- CHANDAN District- Banka

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Akash Snehi @ Akash Sanehi S/O Santosh Kumar Resident of Rana Pratap Colony, Adarsh Colony, P.S.- Chas, District- Bokaro.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kuamr

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-09-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered in connection with Chandan P.S. Case No. 62 of 2022 for the offences punishable under Sections 30(a), 32(2) of the Bihar Prohibition & Excise (Amendment) Act.

In course of patrolling the police intercepted one Mini truck and Maruti car. The driver of Mini truck disclosed the name of the petitioner as owner of the vehicle and on search total 1011.855 liters illicit Indian made



foreign liquor was recovered.

Learned counsel for the petitioner submits that the petitioner was neither apprehended at the spot nor any incriminating article has been recovered from his person and possession. However, only being the owner of alleged mini truck bearing Registration No. JH11G 5367, his name has been implicated in this case. He submits that the alleged vehicle is a commercial vehicle runs for transportation of goods and he was not aware as to what was being loaded by the driver of the said vehicle without consent of the petitioner. He next submits that other co-accused persons named in the FIR have already been granted bail by this court. He last submits that the petitioner having no concern with the illicit liquor is in custody since 12.06.2022, though the investigation of the crime is completed and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the fact that save and except the petitioner being owner of the mini truck, there is



no other material against him and moreover, the petitioner having fair antecedent is in custody since 12.06.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka in connection with Chandan P.S.Case No. 62 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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