

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41269 of 2022**

Arising Out of PS. Case No.-354 Year-2021 Thana- VAISHALI District- Vaishali

PAPPU DAS @ PAPPU KUMAR DAS Son of Sant Das @ Satnarayan Das  
Resident of Village - Sorhattha (Sadhapur Jiwan), P.s.- Vaishali (Belsar OP),  
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      17-08-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Vaishali P.S. Case No. 354 of 2021 registered for the offences  
punishable under Sections 272, 273, 413, 414 of the Indian  
Penal Code read with Section 30(a)/41(i) of the Bihar  
Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery  
of 492.39 litres foreign liquor from truck in question, car in  
question and motorcycle in question. Apprehended persons,  
Shashi Kumar, disclosed the name of present petitioner and



others who are involved in business of liquor.

Learned counsel for the petitioner submits that petitioner is in custody since 17.05.2022. Petitioner bears one criminal antecedent at similar nature. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered liquor and vehicles in question. Co-accused Shashi Kumar, who has been apprehended on spot, has already been granted bail vide Cr. Misc. No. 22784 of 2022 by this Hon'ble Court and co-accused Amresh Kumar has granted bail vide Cr. Misc. No. 70450 of 2021 by the co-ordinate bench of this Court and the case of present petitioner stands more or less on better footing. Petitioner is not apprehended on spot.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 354 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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