

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50814 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- PATORI District- Samastipur

PINTU KUMAR Son of Yugal Rai Resident of Village - Lodipur Chakawaha,
P.S.- Hajipur Sadar, Hajipur, District - Vaishali.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Santosh Kumar, Advocate.
For the State	:	Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 09-02-2022 The applicant is given out of turn hearing on the ground
that his mother is suffering from ailment.

The applicant is an accused in Crime No.199 of 2021 registered with Police Station-Patori Mohanpur for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The learned counsel for the applicant argued that the applicant was passerby who is accosted by the police on the basis of suspicion.

The learned A.P.P. opposed the application by contending that illicit liquor in huge quantity came to be seized from the vehicle which was being driven by the applicant.

I have considered the submissions so advanced and also perused the materials placed before me.



On the basis of secret information to the effect that liquor is being unloaded at the house of Arjun Choudhary, police conducted the raid and found a vehicle. According to the prosecution case, the applicant was driver of the said vehicle. Illicit liquor was being unloaded and stored at the house of the co-accused from the said vehicle. Illicit liquor of 1585.955 liters quantity came to be seized from the spot.

Investigation of the subject crime is over. The applicant is not having any criminal antecedents, as stated in the application, and therefore I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.199 of 2021 registered with Police Station-Patori Mohanpur for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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