

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43961 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- MINAPUR District- Muzaffarpur

Sanjay Bhagat S/O Mahendra Bhagat Resident of village- Khatika, P.S.-
Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-10-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Raju Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Minapur P.S. Case No. 161 of 2022, for the offences punishable under Sections 414, 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, the police on a confidential information intercepted a Tata 207 vehicle and on search total 194.540 liter Indian Made Foreign Liquor was recovered. It is alleged that the petitioner, who is said to be driver of the Tata



207 vehicle, was apprehended on the spot.

It is submitted by the learned counsel appearing on behalf of the petitioner that the vehicle in question runs for the purpose of carriage of goods on the dictate of the transporter/owner of the vehicle and the petitioner being driver of the said vehicle was not even aware as to what was being carried by the transporter/owner. He further submitted that the petitioner having fair antecedent, is in custody since 12.04.2022 and now the investigation of the crime is already complete and the charge-sheet has been submitted.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner being driver of the vehicle, which runs for transportation of goods by the transporter/owner and moreover, he is in custody since 12.04.2022, having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur, in connection with Minapur P.S. Case No. 161 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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