

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44211 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- KARAKAT District- Rohtas

Ajeet Kumar Son of Suresh Singh Resident of Village - Shankarpur, P.s.-
Akodhigola, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-10-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Ashok Kumar Singh, learned counsel
for the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Karakat P.S. Case No. 138 of 2021 for the
offences punishable under Sections 30(a), of the Bihar
Prohibition & Excise (Amendment) Act 2018.

During the course of patrolling duty, the police
on a secret information intercepted a pick-up-van bearing
registration number BR 26GA-7628 and on search total
1296 liters foreign made liquor was recovered. It is further



alleged that the consignor of the said liquor is said to be one Prithavi Singh.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. However during the course of investigation, the driver of the pick-up-van has disclosed that the petitioner and owner of the pick-up-van had authorized him to drive the vehicle in question and save and except the aforesaid material, there is nothing against the petitioner. He further submits that the petitioner is neither owner of the vehicle in question nor has any concerned with the illicit liquor. He further submits that only because of his past criminal antecedent, his name has been implicated in this case which also shows the high handedness of the police. He last submits that the petitioner is in custody since 23.06.2022 and now the investigation of the crime is already complete.

On the other hand, learned counsel for the State opposed the bail application and submits that petitioner has named in four other criminal cases.

Regard being had to the submissions made on behalf of the parties and considering the fact that petitioner



has neither any concern with the vehicle in question nor with the illicit liquor and save and except the disclosure made by the driver of the vehicle in question there is no other material, 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 2nd Additional Sessions Judge cum Special Excise Court-I, Rohtas at Sasaram in connection with Karakat P.S.Case No. 138 of 2021 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.



(v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above- mentioned order shall not be delayed for purpose of or in the name of verification.

(Harish Kumar, J)

N.K/-

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

