

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45171 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- NAVINAGAR District- Aurangabad

Aakash Kumar Son Of Late Shudhir Vishwakarma @ Sudhir Vishwakarma
R/O Village- Sapulhganj, P.S.- Muffasil, Sasaram, District- Rohtas, Present
Address Village- Kamarn Ganj, P.S.- Indrapuri, District- Rohtas (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Nabinagar Badem P.S. Case No. 103 of 2022
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, allegedly recovery of 240
liters of country made liquor was made from a van being driven
by this petitioner who was apprehended after chase.

Learned counsel for the petitioner submits that
petitioner has not committed any offence and he has been



falsely implicated in this case. Petitioner is neither the driver nor the owner of the vehicle in question. The petitioner has no concern with the allegedly seized liquor. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is having clean antecedent. Charge sheet has been submitted in this case and the petitioner is in custody since 01.04.2022.

Learned APP for the State opposes the prayer for bail.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, 1 Aurangabad (Bihar) in connection with Nabinagar Badem P.S. Case No. 103 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present



on each and every date fixed by the
court below.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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