

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56136 of 2021

Arising Out of PS. Case No.-170 Year-2021 Thana- MAHESI District- East Champaran

Ramesh Kumar Son Of Harichandra Resident Of Village - Ward No. 2 Amar
Colony Chak 03 S.T.R., P.S. - Gharsana, District - Sri Ganganagar (Rajsthan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Adv
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-08-2022 Heard 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 Mehsi P.S.Case No. 170 of 2021 under
section 30(a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, it is alleged that
police on secret information intercepted a truck which was
being driven by the petitioner. On search total 5643.72 liters
of foreign liquor was recovered from the truck.

Learned counsel for the petitioner submitted that
petitioner who happens to be driver of the said truck had no
knowledge as to what was loaded by the transporter or the
owner of the said truck in sealed cartoons. It is next



submitted that petitioner has no concern with alleged illicit liquor. It is further submitted that he is in custody since 21.07.2021 having no criminal antecedent and moreover, he is ready to give under taking that he will remain present in the course of trial.

On the other hand, learned counsel for the State opposed the bail application and submits that huge quantity of illicit liquor has been recovered from the truck and involvement of the petitioner cannot be ruled out.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner happens to be driver of the said truck and he is in custody since 21.07.2021 having fair antecedent and moreover, investigation is completed and the charge sheet has been submitted, 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 Judge Excise, Motihari, East Champaran in connection with Mehshi P.S.Case No. 170 of 2021 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) One of the bailors shall be the local resident having territorial jurisdiction.

(Harish Kumar, J)

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