

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45349 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- SABAUR District- Bhagalpur

=====

Gugal @ Abhimanyu Kumar, Son of Manoj Yadav, R/v- Baijan Patti, P.S and
Dist- Saharsa, presently and corrected Resident of village- Tiri, ward no, 3,
P.S- Sour Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Sabour (Goradhi) P.S. Case No. 252 of 2022
registered for the alleged offences under Sections 188, 414, 447
of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, recovery of 63 liters of India
made foreign liquor was made from the vehicle being driven by
this petitioner, who was apprehended from the spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The petitioner is neither the owner of the seized vehicle nor he has anything to do with the recovery made from the vehicle. He was merely a driver. The charge sheet has been submitted in this case. The petitioner is in custody since 04.07.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to 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 Special Judge, Exclusive Excise Court No.-2, Bhagalpur, in connection with Sabour (Goradih) P.S. Case No. 252 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)

V.K.Pandey/-

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

