

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49036 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

Arvind Ram S/O Late Ramdas Ram Resident of village- Yayan Bujurg, P.S.-
Hajipur Sadar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate Mr. Sharad Kumar Verma, Advocate Ms. Rashmi Jha, Advocate
For the Opposite Party/s :		Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 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 from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Hajipur Excise Case No. 60 of 2022 registered for the alleged offences under Section 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

As per prosecution case, on getting secret information, a tempo was intercepted and the petitioner was apprehended with his tempo. On search being made, total 160 liters of country made liquor was recovered from the tempo. The



petitioner is said to be the driver of the said vehicle in which the illicit country made liquor was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his person or possession. Learned counsel further submits that the petitioner is the driver of the said vehicle and he has no knowledge about the illicit liquor being carried by passenger in the tempo. Charge sheet has been submitted in this case and the petitioner is in custody since 23.05.2022. The petitioner has got clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner along with his clean antecedent, 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, Vaishali at Hajipur in Hajipur Excise Case No. 60 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)

Gautam/Daya

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