

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50729 of 2022

Arising Out of PS. Case No.-708 Year-2022 Thana- DANAPUR District- Patna

=====

Bittu Kumar S/o Shri Suresh Chaudhary, Resident of Village- Motipur, P.S.-
Naubatpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, 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 Danapur P.S. Case No. 708 of 2022 registered
for the alleged offences under Sections 30(a), 32(i), 32(ii), 41(i)
and 41(ii) of Bihar Prohibition and Excise (Amendment) Act,
2018.

As per prosecution case, the police received secret
information about two vehicles bringing illicit liquor. These two
cars were intercepted and from the car being driven by this
petitioner, recovery of 105 liters of India made foreign liquor
was made.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is merely a driver and he has no knowledge about the consignment. The petitioner was driving the said private vehicle on rent and by using this vehicle, he maintained his family. Learned counsel further submits that apart from this, the petitioner has no concern either from the vehicle or the seized articles. The petitioner is in custody since 20.07.2022 and charge-sheet has been submitted in this case. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties 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 Exclusive Special Judge, Excise Act, Danapur, Patna, in connection with Danapur P.S. Case No. 708 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 for 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)

Ashish/-

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

