

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60124 of 2021

Arising Out of PS. Case No.-216 Year-2021 Thana- MANER District- Patna

Govind Kumar Son of Shambhu Singh Resident of Village - Balua, P.S.-
Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The application for grant of regular bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Special Case No. 2496 of 2021 arising out of Maner P. S. Case No. 216 of 2021 registered for the offences punishable under Sections 30(a)/36 and 41(i) & (ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, it is alleged that the Police on secret information, intercepted a truck and other vehicles. On seeing the Police party, the persons assembled there tried to flee away but two persons including this petitioner were arrested while fleeing. It is further alleged that the Police has recovered total 2131.200 litres illicit foreign liquor from the truck and other seized cars.



Learned counsel appearing on behalf of the petitioner submits that the petitioner has no concern with the vehicles from which recovery has been shown to be made. It is next submitted that nothing incriminating (material) has been recovered from the possession of this petitioner and he is in custody since 28.03.2021, apart from the fact that the investigation has been completed and the charge-sheet has already been submitted. It is lastly submitted by learned counsel for the petitioner that another co-accused persons having similar allegation has also been granted bail by co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 38377 of 2021 vide order dated 14.12.2021. A copy of which has been produced before this Court and the same is kept on record.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner was arrested at the spot.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that the petitioner is in custody since 28.03.2021 and the investigation has been completed and the charge-sheet has already been submitted, apart from the fact that the other co-accused person has already been granted bail by co-ordinate Bench of this



Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 2496 of 2021 arising out of Maner P. S. Case No. 216 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with 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.

(Harish Kumar, J)

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