

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51050 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Kale, Son of Kaptan, Resident of Bahadur Gardh Line Par Narsingh Nagar,
PS- Line Par, Dist- Jhajjar (haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar, Advocate

For the Opposite Party/s : Mr.Nand 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), 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 Industrial Area P.S. Case No. 53 of 2022
registered for the alleged offences under Sections 420, 465, 468
and 471 of the Indian Penal Code and Sections 30(a) 36 and
41(i) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, on getting secret
information about a truck carrying illicit liquor, police
intercepted the truck and apprehended its driver. On search of
this truck, 2370 litres of India made foreign liquor was
recovered. The petitioner is the driver of the said truck who was



apprehended from the spot.

The 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 merely a driver and he has no knowledge about the nature of consignment. The petitioner is in custody since 03.04.2022 and the charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

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 fact that the petitioner is stated to be the driver and further considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, 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 Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 53 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)

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