

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62144 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- KALER District- Jehanabad

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AMIT S/o Prakash R/o Mohalla- H.N. 94C Janta Colony Sector- 25, P.S.-
Sector- 24, District- Chandigarh, State - Hariyana.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings regarding
supply of requisite court fee etc. within two weeks from the date
he is called upon to do so by the office.

Petitioner seeks bail in connection with Kaler P.S.
Case No. 61 of 2021 registered under Section 30(a) of Bihar
Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 3837.600
litres illicit foreign liquor from the truck. The petitioner is stated to
be the driver of the vehicle in question.

Learned counsel for the petitioner submits that he has
no criminal antecedents and is lending his professional service
without any knowledge regarding the alleged illicit liquor being



loaded in the truck in question. The submission is that he would arrange local bailors because he is from outside the state.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, the fact that the petitioner is arranging at least one local bailor, the Court is inclined to allow the prayer having regard to the period of custody since 15.09.2021 and his clean antecedent.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Jehanabad in Kaler P.S. Case No. 61 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That one of the bailors will be local bailor.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two



consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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