

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62766 of 2021

Arising Out of PS. Case No.-825 Year-2021 Thana- ARARIA District- Araria

ASHISH KUMAR S/O SRI RAMSEWAK R/o village- Shivrajpur Kama,
P.S.- Shivrajpur, District- Kanpur, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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 Araria P.S. Case No. 825 of 2021 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

There is alleged recovery of 4239.72 litres illicit liquor from the truck of which the petitioner is alleged to be the driver.

Learned counsel for the petitioner submits that the petitioner was sitting idle without any job and was offered a job



of driver. The truck which as per his information, was laden with some other articles and under such circumstances, he accepted the job. It is only when he has informed by the police that there is illicit liquor concealed beneath the other articles then he has come to know about the concealed illicit content. He has no criminal antecedent and he is in custody since 19.09.2021.

Learned APP has opposed the prayer for bail.

Considering the aforesaid submissions as well as clean antecedents, this Court is inclined to allow the prayer for bail.

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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act) Araria in Araria P.S. Case No. 825 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 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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