

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53410 of 2022

Arising Out of PS. Case No.-249 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

Baljit Kumar @ Baljeet Kumar, Son of Chathu Singh Resident of Village -
Nasariganj Yadawtola, P.S.- Nasariganj, Distt.- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kiran Kumari Sharma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 As prayed, learned counsel for the petitioner is permitted to make necessary correction in paragraph 13 as well as in the prayer portion in course of the day.

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 Chand P.S. Case No. 249 of 2022 registered for the alleged offences under Section 30 (A) of the Bihar Prohibition Act and Excise Act, 2016.

As per prosecution case, recovery of total 203.400 litres of India made foreign liquor as well as country made liquor were made from the car being driven by this petitioner



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. The petitioner is merely a driver and he has no knowledge about the consignment which was kept in the *dickey* of the car. The petitioner has no concern with the seized liquor. The petitioner is in custody since 20.08.2022 and charge-sheet has been submitted. 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 clean antecedent of the petitioner along with the submission of charge-sheet and his period of custody, 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 Additional Sessions Judge-II-cum-Special Judge Excise, Kaimur at Bhabhua in connection with Chand P.S. Case No. 249 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 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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