

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64588 of 2021

Arising Out of PS. Case No.-188 Year-2021 Thana- MANIYARI District- Muzaffarpur

Nirmal Singh, S/O Kuldip Singh Resident Of Village-Badadhamara,
Amarawati Road, Wadamara, Nagpur (Maharashtra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Maniyari P.S. Case No. 188 of 2021, registered for the alleged offences under Sections 272, 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Allegedly, 4993.380 liters of India made foreign liquor was recovered from the vehicle of this petitioner, who is stated to be the driver of the vehicle.

Learned counsel appearing on behalf of the



petitioner submits that the petitioner was merely a driver and he was told that only rice bran was to be carried by him and as the petitioner was not present at the time of loading of the consignment, so he has no knowledge about the liquor being loaded on his vehicle. Learned counsel further submits that the co-accused Ramesh Kumar has been granted bail vide order dated 19.06.2021 passed in Cr. Misc. No. 46161 of 2021. The charge sheet has been submitted in this case and the petitioner is in custody since 19.06.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the a huge quantity of liquor has been recovered from the possession of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted in this case and the petitioner is in custody since 19.06.2021, 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 Special Judge, Excise Act, Muzaffarpur in connection with Maniyari P.S. Case No. 188 of 2021 subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and the following conditions :



(i) One of the bailors will be the deponent, who has sworn the affidavit on behalf 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.

V.K.Pandey/-

U		T	
---	--	---	--

(Arun Kumar Jha, J)

