

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57842 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Anand Ram S/O Sri Hari Nath Ram Resident of village- Madhu Saraiyan,
P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 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 (if any).

In the present case, the petitioner seeks bail in
connection with Excise Case No. 57 of 2022 registered for the
alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act.

As per prosecution case, recovery of 820.800 litres of
India made foreign liquor was made from a tractor trolley which
was kept hidden below the bricks. The petitioner is stated to be
the driver who was apprehended from the spot.

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 the conscious possession of the petitioner. There is no independent witness to the seizure list and all of seizure list witnesses are members of the raiding party. The petitioner is only the driver of the seized vehicle and he has no knowledge about the illicit liquor kept in the trolley of the tractor. The petitioner is in custody since 23.06.2022 and prosecution report 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 and further considering the period of custody along with the submission of prosecution report, 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 District and Sessions Judge-IV-cum-Special Judge, Excise Court No.-II, at Gopalganj in connection with Excise Case No. 57 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the other following conditions:



(i) One of the bailors will be 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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