

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58264 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- DEO District- Aurangabad

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Arunjay Shikari S/O Jagdish Shikari, Resident of village- Pasiya Bhandari,
P.S.- Deo, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nityanand Tiwary, Advocate
		Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s :		Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, 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 Deo P.S. Case No. 175 of 2022 registered for
the alleged offences under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

As per prosecution case, the police received secret
information about a tempo carrying illicit liquor. The said tempo
was intercepted by the police and recovery of 96 liters of
country made *mahua* liquor was made. The co-accused persons
were apprehended from the spot and one of the co-accused



persons disclosed the name of this petitioner.

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. The petitioner has no concern with the seized liquor. The petitioner was not present at the place of occurrence and he was not apprehended from the spot. The name of petitioner came up in confessional statement of one of the co-accused persons. The petitioner is in custody since 03.08.2022 and charge-sheet has been submitted in this case. The petitioner has got no criminal antecedent prior to present case.

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 fact that the charge-sheet has been submitted in this case and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Aurangabad in connection with Deo P.S. Case No. 175 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 for 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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