

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56095 of 2022

Arising Out of PS. Case No.-73 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

Sundar Son of Jaiprakash, R/V- Safiyabad Loti, P.S- Mundali, Dist- Meerut,
State- Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Durgawati P.S. Case No. 73 of 2020 lodged under Sections 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, the total recovery of 5052 liter
of foreign liquor has been made, which is subject matter of the
present case.

Learned counsel for the petitioner submits that the said
recovery has been made from a D.C.M. Truck. He further submits
that name of petitioner has figured only due to the reason that in
the owner book his name was figured. He specifically submits that
the said F.I.R. was lodged on 08.03.2020 near check post at
Mohania whereas the petitioner has already prepared as sale deed

dated 10.10.2019, by which he has handed over his D.C.M. Truck to one Amar Pal, the said sale deed is annexed as Annexure-2. The only mistake done on his part is that after selling the vehicle he has not made verification that sold Truck still exist in his name or not, , otherwise he is innocent. He further submits that the antecedent of petitioner is clean, he is in custody since 27.08.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 73 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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