

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58512 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- GANGABRIDGE District- Vaishali

Sanjeev Kumar, S/o Gulli Ray, R/V- Harivanspur Badri Chowk, P.S.- Hajipur
Town in the Distt of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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.

In the present case, the petitioner seeks bail in
connection with Ganga Bridge P.S. Case No. 165 of 2022
registered for the alleged offences under Sections 467, 468, 471
and 420 of the Indian Penal Code and Sections 30(a), 36 and
41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, police received information
about a truck loaded with illicit liquor had been coming from
Haryana and would be unloaded at the identified place. A raid
was conducted and 6-7 persons were found standing near the
truck. Two of them including this petitioner were apprehended



after chase. From the search of the truck, recovery of 4465 litres of India made foreign liquor was made.

The 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 and he has no concern with the recovered illicit liquor. The petitioner has no concern with seized vehicle. He was apprehended while he was passing through the road. Petitioner has never indulged in illicit trade of liquor. The petitioner is in custody since 10.07.2022 and the charge-sheet has been submitted in this case. 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 his period of custody and submission of charge-sheet, 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 Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 165 of 2022, subject to the conditions mentioned in Section



437(3) of the Code of Criminal Procedure and also 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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