

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51270 of 2023**

Arising Out of PS. Case No.-132 Year-2023 Thana- AMBA District- Aurangabad

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SATNAM SINGH SON OF JASBIR SINGH RESIDENT OF BALACHAK,
PS AND DIST- TARUN TARAN (PUNJAB)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Amba P.S. Case No.132 of 2023 instituted under Section 30(a) of Bihar Prohibition & Excise Act, 2018 lodged on 09.06.2023 by the informant Dinesh Kumar.

As per the prosecution story, the container was intercepted whereafter 8675 liters of countrymade foreign liquor was recovered/seized followed by the FIR.

The case of the petitioner is that he is a driver having no knowledge of the presence of huge quantity of liquor inside his truck, is young person of 21 years having no criminal antecedent.



Learned APP opposes the prayer for bail stating that it is recovery/seizure of huge quantity of liquor from the container.

Considering the fact that the petitioner is not the owner of the vehicle, is a driver a young person, has no criminal antecedent, is in jail since 10.06.2023 as reflects from the order sheet of the learned Special Judge, Excise, First, Aurangabad, FIR lodged and ultimately he will have to face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Amba P.S. Case No.132 of 2023 to the satisfaction of learned Ist Special Judge, Excise, Aurangabad, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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