

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62495 of 2022

Arising Out of PS. Case No.-368 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

SANJAY KUMAR, Son of Raghbir Singh @ Ranveer Singh, Resident of
Village- Kharkota, P.S.- Kharkota, District- Sonipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Muffassil P.S.
Case No. 368 of 2022 registered for the offence punishable under
Sections 272, 273, 468, 469, 420 and 34 of the Indian Penal Code
and Sections 30(a), 32(i)(ii), 36 and 41 of the Bihar Prohibition and
Excise Act.

There is alleged recovery of 1014.75 liters illicit liquor
from the pick-up van and Ritz vehicle. The petitioner is alleged to be
cleaner of the pick-up van.

Learned counsel for the petitioner submits that the
petitioner was in the vehicle because his services as cleaner has been



requisitioned. He was oblivious of the contents on the vehicle. Having no antecedents, he has become victim of the circumstance and is in custody since 24.05.2022. There is no recovery from his possession. Driver of the pick-up van has been allowed bail in *Cr. Misc. No. 47310 of 2022*.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ 2nd cum 1st Exclusive Special Judge Excise, Saran at Chhapra, in connection with Muffassil P.S. Case No. 368 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.



This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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