

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60869 of 2022

Arising Out of PS. Case No.-533 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Vijay Singh Son of Upendra Singh Resident of Village- Bijulia, P.S.- Sambho,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Nagar (Ratanpur) P.S. Case No. 533 of 2022 registered for the alleged offences under Sections 30(a) and 32(2) of the Bihar Prohibition Act and Excise Act, 2018.

As per prosecution case, police recovered 81 litres of India made foreign liquor from a four-wheeler and two persons fled away from the spot when the raid was being conducted. The petitioner is stated to be the owner of the vehicle.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that petitioner has no knowledge about the liquor kept in his vehicle and the driver of



the petitioner might have been indulging in the illicit trade of liquor. It is apparent from the FIR that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession. He has been named in this case merely on suspicion. The petitioner is in custody since 02.09.2022 and charge sheet has been submitted.

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 no recovery has been shown from him and further considering the period of custody of the petitioner along with the submission of charge-sheet against him, 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 Judge-1st, Begusarai in connection with Nagar (Ratanpur) P.S. Case No. 533 of 2022, subject to 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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