

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61246 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- GURUA District- Gaya

SUNIL VERMA S/O PACHHU MAHTO Resident of Village- Muffasil, P.S.-
Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-01-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Gurua
P.S. Case No. 303 of 2022, registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

As per allegation total 717.15 liters English liquor
has been recovered from a Bolero Pick-up van bearing
Registration No. BR2K-7557.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that nothing has been recovered



from conscious possession of the petitioner. He also submits that the petitioner is only driver of the said pick-up van and he was having no knowledge about the goods kept on the said pick-up van as he has only to pick the goods and transport it to its destination as told by his owner.

He further submits that the petitioner has been languishing in jail since 24.08.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special



Judge Excise Act, Court No. 02, Gaya in connection with Gurua P.S. Case No. 303 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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