

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62644 of 2022

Arising Out of PS. Case No.-572 Year-2022 Thana- PATRAKARNAGAR District- Patna

Karu Sah, aged about 22 years, Gender- Male, S/O Damindar Ray @
Damindar Sah R/O Village- Bariyarpur, P.S- Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 This matter has been taken up today for consideration through video conferencing.

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

The petitioner seeks bail in connection with Special Case No. 5893/2022 arising out of Patrakarnagar P.S. Case No. 572/2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Amendment Act.

Petitioner is stated to be driver of the vehicle from which 107 litres (one hundred and seven litres) country made liquor has been recovered.

It is submitted by the petitioner's counsel that he is having no criminal antecedents and his services were requisition for driving the vehicle, whereafter he has become victim of the circumstance. Petitioner was not having knowledge about illicit liquor being loaded in the '*tempo*'. He is in custody since 19.09.2022.

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 Special Judge Excise Patna, in connection with Special Case No. 5893/2022 (arising out of Patrakarnagar P.S. Case No. 572/2022), 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.

rajkishore/-
(Madhuresh Prasad, J)

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