

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70717 of 2022

Arising Out of PS. Case No.-362 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Bablu Sngh, Male, aged about 45 years, Son of Late Ram Balak Singh R/o
Village - Madhurapur, P.S.- Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 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 Sultanganj
PS Case No. 362 of 2022 dated 23-09-2022 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2016.

As per allegation in the First Information Report (*for
brevity FIR*) total 1300 liters illicit liquor has been recovered from a
Tata 407 vehicle. The petitioner is stated to be the driver of the
vehicle.

Learned counsel for the petitioner submits that the
petitioner was not conscious of the contents in the vehicle as his
services were hired on professional basis at the last moment to drive
the vehicle in-question. The petitioner has thereafter been taken in
custody on account of the above circumstances though he has no
concern with the illicit liquor. It is submitted that investigation is
complete. Recovery is denied and disputed as being not in



accordance with law.

The petitioner is in custody since 25-09-2022, though he has no antecedents.

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

Considering the rival submissions, manner of petitioner's implication, period of custody, clean antecedent as also 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, Exclusive Excise Court No.- 2 Bhagalpur, in connection with Sultanganj PS Case No. 362 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.

(Madhuresh Prasad, J)

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