

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78181 of 2023

Arising Out of PS. Case No.-556 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Sintu Kumar Son Of Devlal Yadav Resident Of Village - Taro, P.S. - Fatehpur,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sheikhpura (Kushumbhi O.P.) P.S. case No. 556 of 2023
instituted for the offences under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution allegation, in short, is that total 1200
litres of *chulai* liquor and 27 litres of English liquor was
recovered from the pickup van and apprehended one person
namely Sintu Kumar (this petitioner).

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16.08.2023 having one
criminal antecedent. The petitioner has falsely been implicated



in the present case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is only the driver of the vehicle in question and has no concern with the alleged recovery. He further submitted that there is non-compliance of Section 100 of the Cr.P.C. Petitioner is not the owner of the vehicle from which the recovery was made.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner is only the driver of the vehicle and has no concern with the vehicle from which the alleged recovery was made, as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhpura (Kushumbhi O.P.) P.S. case No. 556 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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