

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56816 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- BICHKODWA District- Jamui

Niranjan Kumar S/O Krishnandan Singh @ Kishnandan Singh R/O Village-
Malpur, P.S.-Pipariya, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bichkodwa P.S. Case No. 26 of 2024
registered for the offences punishable under Sections 30(a) and
32 of the Bihar Prohibition and Excise Act.

3. The police on a tip-off regarding trafficking of
illicit wine, intercepted Chevorlet car bearing registration no.
WB44C0674. The petitioner is said to be the driver of the
vehicle. In course of search, 132 liters of Indian Made Foreign
Liquor was recovered.

4. It is contended on behalf of the petitioner that the
petitioner happens to be driver of the vehicle in question. He



was plying the vehicle on the instruction of his owner and, in fact, he was not aware of the fact as to what was loaded by the owner of the vehicle. However, only on account of past criminal antecedent of identical nature, the name of the petitioner has been implicated in this case. There are various other infirmities in the search and seizure and the witnesses are none else but the police personnel. It is further contended that be that as it may, now the petitioner is in custody since 07.06.2024.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the antecedent of the petitioner speaks loud of the involvement of the petitioner in the present crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and moreover the petitioner is said to be the driver of the vehicle from which the recovery has been made, let the petitioner, named above, 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 learned Exclusive Excise Court-I, Jamui in connection with Bichkodwa P.S. Case No. 26 of 2024, subject to the condition that one of the bailors will be the close relatives of



the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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