

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73960 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Birendra Singh S/o- Mahendra Singh @ Mahendra Village- Gandala , P.s.
Nimrana , District- Alawar at Rajasthan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Durgawati P.S. Case No. 227 of 2023 registered for the offence under Sections 420, 467, 468 and 471 of the Indian Penal Code and under Sections 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, there is recovery of about 2645 liters of foreign liquor from a truck.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 2.9.2024. He further submits that the petitioner is innocent as he had sold the vehicle to another person. He also submits that the transferee did not get the vehicle registered in his name and the vehicle, after being



seized in transportation of illicit liquor, the petitioner has been made accused in this case.

5. Considering the aforesaid facts, this application is allowed.

6. 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 Exclusive Special Judge, Excise-II, Kaimur at Bhabhua/concerned Court below in connection with Durgawati P.S. Case No. 227 of 2023, subject to the condition that both the bailors should be close blood relative.

7. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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