

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3321 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- BHARGAMA District- Araria

Vishwajeet Kumar @ Vishvajeet Kumar, Son of Kartik Mandal, Resident of Village - Pachira, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 14-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

As per the F.I.R., 343.125 liters of foreign liquor has been recovered from bamboo clump situated behind the house of co-accused, Lalchun Devi.

It is submitted on behalf of the petitioner that nothing has been recovered from the physical possession of the petitioner and name of the petitioner has been transpired during course of investigation on the basis of confessional statement of co-accused, Ram Kumar Bhagat and Mihir Kumar. Petitioner is



in custody since 28.11.2019 and charge-sheet has already been submitted.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Araria in Bhargama Police Station Case No. 211 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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