

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19803 of 2020**

Arising Out of PS. Case No.-76 Year-2020 Thana- DAUDPUR District- Saran

Shashi Kant Kumar Singh, aged about 22 years, (M), Son of Jai Prakash Singh Resident of Village- Akari, P.S.- Ekma, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 06-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Yashraj Bardhan, learned counsel for the petitioner and Ms. Indu Kumari Srivastava, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Daudpur PS Case No. 76 of 2020 dated 18.04.2020 instituted under Sections 272/273/34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner and another person is that from the motorcycle on which they were



travelling, the police had recovered a plastic sack from which 100 litres of countrymade liquor was recovered.

5. Learned counsel for the petitioner submitted that he had no concern with any liquor which was recovered and the same was not from his conscious possession. It was further submitted that petitioner has no other criminal antecedent and is in custody since 18.04.2020.

6. Learned APP submitted that from the possession of the petitioner 100 litres of liquor has been recovered and thus he cannot plead innocence.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II cum-Special Judge, Saran at Chhapra, in Daudpur P.S. Case No. 76 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the



witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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