

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24257 of 2020

Arising Out of PS. Case No.-68 Year-2020 Thana- MAIRWAN District- Siwan

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Rama Shankar Prasad S/o Daroga Bhagat @ Daroga Prasad Resident of
Village- Jiyay, P.S.- Siwan Mufasil, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Mairwa P.S. Case No. 68
of 2020, registered for the offence punishable under Section
30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, total 117.950 liters of illicit
liquor is said to have been recovered from a Tempo, which was
being driven by this petitioner.

It is submitted on behalf of petitioner that nothing has
been recovered from the possession of the petitioner. Petitioner
is neither owner of alleged Tempo nor has got any concern with
the seized liquor. Petitioner has got clean antecedent and he is
in custody since 29-02-2020.

Considering the aforesaid facts and circumstances, the



bail application of petitioner is allowed.

Let the above-named 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 learned 2nd Addl. Sessions Judge cum Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 68 of 2020, on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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.)

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