

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27563 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- SAHARSA RAIL P.S District- Khagaria

AMAR KUMAR Son of Mahanand Prasad Yadav Resident of Village-
Bhirkhi, P.S. and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram

For the Opposite Party/s : Mr.B.N. Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Saharsa (Banmankhi)

Government Rail P.S. Case No. 16 of 2020, G.R. (R) No. 39 of
2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

98 litres of Mahua liquor is said to have been
recovered from a passenger train and this petitioner was also
travelling in that train.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from



conscious possession of this petitioner. Recovery has been made from platform no. 1 near the office of Rail Superintendent. Petitioner has no concern with the alleged liquor. Petitioner is in custody since 09.03.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Special Judge (Excise), Khagaria in connection with Saharsa (Banmankhi) Government Rail P.S. Case No. 16 of 2020, G.R. (R) No. 39 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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