

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27630 of 2020

Arising Out of PS. Case No.-146 Year-2018 Thana- BUXAR District- Buxar

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Mehandi Khan @ Mehandi Hasan @ Salim Sah @ Mehandi Hasan Khan Son of Chhedi Khan @ Chhedi Pahalwan @ Abddul Asin Shah Resident of Khalasi Mohalla, P.S. - Buxar Town, District - Buxar, At Present Village - Keoripurwa, P.S. - Buxar Town, District - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-10-2020 Heard learned counsel for the petitioner as well as learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Buxar Nagar P.S. Case No. 146 of 2018, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

449.28 liters of foreign liquor is alleged to have been recovered from a pick-up van, bearing Registration No. BR-06K-7928, which was standing near Budhanpurwa temple, and on the disclosure of some villagers, petitioner has been made accused.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner nor from the house of petitioner. Petitioner has got no concern



either with the seized liquor or pick-up van and he is in custody since 01-01-2020.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Excise Act), Buxar in connection with CIS - Excise 363/2018 (Buxar Nagar P.S. Case No. 146 of 2018) 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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