

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28415 of 2020**

Arising Out of PS. Case No.-135 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

SHANKAR KUMAR @ SHANKAR YADAV S/o Ratan Yadav Resident of
Village- Akaunadih, P.S.- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-11-2020 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 Muffasil P.S. Case No.

135 of 2020, registered for the offence punishable punishable

under Section 30(a)(d) of the Bihar Prohibition and Excise Act,

2016.

50.120 litres of foreign liquor is said to have been

recovered from a motorcycle and bush and petitioner was

apprehended on the spot.

It is submitted that petitioner has falsely been

implicated in this case. Nothing has been recovered from

conscious possession of this petitioner. Petitioner has no



concern with the recovered wine. Petitioner has got criminal antecedent of three Excise case, but in all those case he is on bail. Charge sheet has already been submitted. Petitioner is in custody since 02.06.2020.

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 2nd Additional Sessions Judge-cum-Special Judge, Nawada in connection with Muffasil P.S. Case No. 135 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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