

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28455 of 2020

Arising Out of PS. Case No.-331 Year-2020 Thana- KUDHNI District- Muzaffarpur

Kanhai Rai, aged 34 years, S/o Late Permeshwar Rai Resident of Village-
Madhopur Susta, P.S.-Kudhani, District-Muzaffarpur ... Petitioner
Versus
The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Rashmi Bharti, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30a/41(1) of the Bihar Prohibition and Excise Act.

Police seized 6709.248 liters of foreign wine from a truck and arrested two persons sitting on it. They disclosed that the consignment of wine had come on demand of the petitioner and his associates for its supply to other persons.

Learned counsel appearing for the petitioner submits that the petitioner is neither owner nor the staff of the truck and police at random apprehended him and got his signature and thumb impression under pressure. Nothing incriminating has been recovered from the possession of the petitioner and he has nothing to do with the alleged recovery. Petitioner is in custody since 7.6.2020.

Considering the facts of the case, let the petitioner,



above named, 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 the Special Judge, Excise Act, Muzaffarpur in Kudhani Police Station Case No. 331 of 2020/GR No.743 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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