

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35602 of 2020

Arising Out of PS. Case No.-170 Year-2020 Thana- KATORIYA District- Banka

SURAJ KUMAR @ SURAJ TANTI S/o Ramanand Tanti R/o village-
Mirhatti, P.S.- Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Smt. Veena Rani Pd. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-12-2020 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/56D of the Bihar
Prohibition and Excise Act.

62.325 liter of foreign liquor is alleged to have been
recovered from the vehicle of which petitioner was the driver.

Learned counsel appearing for the petitioner submits
that the petitioner is not the owner of the vehicle and was
driving the vehicle on the instruction of the owner and was not
aware of the consignment. No incriminating material has been
recovered from the conscious possession of the petitioner and he
has nothing to do with the alleged recovery. Petitioner has got
no criminal antecedent. Petitioner is in custody since 14.8.2020.



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 Additional Sessions Judge II in Banka in Special Excise case no. 407/2020, Katoriya Police Station Case No. 170/2020 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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