

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35666 of 2020

Arising Out of PS. Case No.-263 Year-2020 Thana- PIPRA District- East Champaran

Rajeshwar Pandey Son of Late Amar Pandey Resident of Village -
Mahammada, P.S.- Piprakothi, District - East Champaran ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party : Mr. Anil Kumar 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/36/41(1) of the Bihar
Prohibition and Excise Act.

8000 liters of spirit is alleged to have been recovered
from a truck (bearing Registration No. as WB 23A 9667) parked
near NH 28 line hotel. It is alleged that the aforesaid
consignment has been brought by this petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner is not the owner of the vehicle. 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.
Charge sheet has also been filed in the case. Petitioner is in



custody since 8.9.2020.

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 VII cum Special Judge, Excise Act Motihari, East Champaran in Pipra Police Station Case No. 263/2020, 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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