

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11757 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- PAKRIDAYAL District- East Champaran

VINAY SINGH @ VINAY KUMAR SINGH @ SANJEEV KUMAR SINGH
S/o Ramchand Singh R/o Mohalla- Ward No. 13 Majhar Amawa Tola, P.S.-
Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Pakridayal P.S. Case No.
08 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per the prosecution case, 1200 litres of foreign
liquor has been recovered from orchard behind the house of this
petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from open place which is accessible to general public. Petitioner
has no concern with the seized liquor. Petitioner is in custody
since 06.12.2020 having no criminal antecedent, as stated in



para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of petitioner coupled with the fact that petitioner bears clean antecedent, 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 Special Judge Excise Act, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 08 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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