

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12201 of 2021**

Arising Out of PS. Case No.-499 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Gulshan Kumar @ Sugga (Male) aged about 25 years, Son of Mogal Singh
Resident of Village- Kothiya, P.S.- Muffasil, O.P.- Laakho, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.APP

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

2. 28-06-2021 Heard learned counsel for the parties through video
conferencing.

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

As per the prosecution case, 90 liters of foreign liquor
has been recovered from the field of co-accused Bidur Singh
and it is alleged that this petitioner and co-accused Bidur Singh
fled away after seeing the police party.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner. The
recovery has been made from the field of co-accused Bidur
Singh and petitioner has nothing to do with the alleged recovery.
Petitioner has got clean antecedent and he is in custody since
24.10.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.D.J.-II cum Special Judge (Excise Act), Begusarai, District - Begusarai in connection with Muffasil P.S. Case No. 499 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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