

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15474 of 2021

Arising Out of PS. Case No.-233 Year-2020 Thana- DUMRA District- Sitamarhi

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DHIRAJ KUMAR Son of Late Bacchan Rai Resident of village- Bhoprasad,
P.S. - Dumara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Dumara P.S. Case No. 233
of 2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

108 litres of Gaurav Nepali liquor has been recovered
from the maize field near the bridge.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is in custody
since 24.10.2020 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 the petitioner and 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 Additional District and Sessions Judge II-cum-Special Judge Excise Act, Sitamarhi in connection with Dumara P.S. Case No. 233 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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