

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13802 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

NAWAL KISHORE DAS Son of Gopal Das Resident of Village - Diyathah
(Ghiyathah), P.S.- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2021 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 Excise Case No. 303 of
2020, registered for the offence punishable punishable under
Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act,
2018.

235 litres of country made liquor has been recovered
from bamboo clump and this petitioner was apprehended on the
spot.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from



conscious possession of this petitioner. Bamboo clump does not belongs to this petitioner. Recovery has been made from public place which is accessible to general public. Petitioner claims clean antecedent and he is in custody since 19.09.2020.

Considering the period of custody coupled with the fact that petitioner claims 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 at Motihari in connection with Excise Case No. 303 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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