

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18939 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- GURUA District- Gaya

Shambhu Nath Goswami (Male), aged about 40 years, Son of Triveni Goswami Resident of Village- Lakshmi Nagar, Gurua, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr. Ram Sumiran Roy A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Gurua P.S. Case No. 270 of 2020 (CIS – 1618 of 2020), registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

5 liters of foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the house, which is in joint possession of the family. Petitioner claims clean antecedent and he is in custody since 14.12.2020.

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 Additional District and Sessions Judge II cum Special Judge, Excise Act, Gaya in connection with Gurua P.S. Case No. 270 of 2020 (CIS - 1618 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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