

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18843 of 2021**

Arising Out of PS. Case No.-516 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Mahesh Kumar Age 22 years, S/o Ram Nath Sah R/o Village- Jogiya Math
Ward No. -3, P.S.- Samastipur Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh 1 A.P.P.

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**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 Samastipur Mufassil P.S.
Case No. 116 of 2020, registered for the offence under Section
30(a) of Bihar Prohibition and Excise Act.

Approx. 140 liters of foreign liquor has been
recovered from a pick-up van, which was parked in front of the
house of co-accused Jagdev Sah and petitioner was arrested on
the spot.

It is submitted on behalf of petitioner that nothing has
been recovered from the conscious possession of the petitioner.
The petitioner is neither owner nor driver of the pick-up van and
has got no concern with the seized liquor. Petitioner claims
clean antecedent and he is in custody since 17.12.2020.



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 Addl. District and Sessions Judge 2nd cum Spl. Judge, Excise Act, Samastipur in connection with Samastipur Mufassil P.S. Case No. 116 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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