

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20211 of 2021**

Arising Out of PS. Case No.-298 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

AMRENDRA KUMAR Son of Raghunath Prasad Resident of Village -
Kakarachak, P.S.- Bochahan, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Jai Narayan Thakur,APP

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

2 09-07-2021 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 Bochahan P.S. Case No.
298 of 2020, registered for the offence punishable punishable
under Sections 272, 273 and 120(B) of the Indian Penal Code
and sections 30(a), 31(ii), 41(a) of the Bihar Prohibition and
Excise Act.

7606.125 litres of foreign liquor has been recovered
from a vehicle and three persons including this petitioner were
apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner has got no



concern with the seized liquor or the vehicle. Petitioner is in custody since 09.11.2020 having no criminal antecedent, as stated in para 10 of the petition.

Considering the period of custody coupled with the fact that petitioner 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 Special Judge Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 298 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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