

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20392 of 2021**

Arising Out of PS. Case No.-568 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Md. Munna @ Munna Miya S/O Md Hamid Miyan R/O Village-Bhediya
Mukeri Tola, P.S.-Gopalganj Town, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha A.P.P.

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

2. 13-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 568 of 2020, registered for the offence under Sections 272, 273 of the I.P.C. and Sections 30(a), 41(1) of Bihar Prohibition and Excise Act.

279 liters of country-made liquor has been recovered from a pick-up van, of which, petitioner was driver.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner was not aware about the nature of consignment and he was simply following the instruction of the owner. Petitioner claims clean antecedent and he is in custody since 31.12.2020.

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 2nd Additional District and Sessions Judge cum Special Judge, Excise, Siwan in connection with Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 568 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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