

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20212 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- BHORE District- Gopalganj

Suresh Kushawaha @ Suresh Singh S/O Balkishun Kushawaha @ Balkhila
Bhagat R/O Village-Lamichaur Khedu Bhagat Tola, P.S.-BHOREY, District-
Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Manoj Kumar 1, 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 Bhorey P.S. Case No. 75
of 2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

96 litres of foreign liquor has been recovered from the
house of petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. The house in question is
in joint possession of the family and he has no concern with the
seized liquor. Petitioner is in custody since 28.01.2020.



Considering the fact that no recovery has been made from conscious possession of the petitioner and 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 2nd Additional District and Sessions Judge-cum-Special Judge Excise, Gopalganj in connection with Bhorey P.S. Case No. 75 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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