

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20310 of 2021**

Arising Out of PS. Case No.-377 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Sanju Rai @ Ram Sanyog Rai Son of Gaganu Rai Resident of Village -
Jamuniya, P.S.- Pupari, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr. Khurshid Anwar A.P.P.

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**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 C2 Case No. 377 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

612 liters of Nepali Saufi Wine has been recovered from a Tata Magic vehicle, which was being driven by this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner, being driver, was unaware about the nature of consignment and was simply following the instruction of the owner. Petitioner claims clean antecedent and he is in custody



since 15.10.2020.

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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with C2 Case No. 377 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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