

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20450 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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AJIT KUMAR SON OF RAM BRIKSH BHAGAT Resident of Village-
Kashnagar Bazar, P.S.- Sonvarsa, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Tarun Pd. Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2021 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 Excise Comp. Case No.
72 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

51.75 litres of illicit liquor has been recovered from

the dickey of a car in which petitioner and co-accused Chandan

Kumar were sitting inside the car.

It is submitted that no recovery has been made from

conscious possession of this petitioner. Petitioner was simply a



co-passenger and was not aware about the nature of consignment. Petitioner has no concern with the seized liquor. Petitioner is in custody since 07.09.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the clean antecedent of the petitioner and the period of custody, 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 Additional Sessions Judge-II, Banka in connection with Excise Comp. Case No. 72 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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