

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20204 of 2021**

Arising Out of PS. Case No.-446 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Bhagwan Bhagat @ Bhagwan Kumar Son Of Sukhdeo Bhagat Presently
Resident Of Village - Sushil Nagar, Police Station - Muffasil, Singhoul O.P.,
District-Begusarai Permanent Resident Of Village- Keshave, Ward No 7 P.S-
Barauni, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. JK Thakur, Addl Public Prosecutor

=====

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

4 09-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 30a of the Bihar Prohibition
and Excise Act.

As per the prosecution case, 1551.96 liters of foreign
liquor was recovered from a truck and a Bolero vehicle and it is
alleged that the said liquor had been brought by the petitioner
and other accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. He is neither driver nor
owner of the said vehicle. Petitioner's name has figured during
course of investigation in confessional statement of co-accused



by the spy. Petitioner claims clean antecedent. Petitioner is in custody since 27.12.2020. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and materials available on the record, let the petitioner, above named, 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 the Additional Sessions Judge II cum Special Judge, Excise Act, Begusrai in Muffasil Police Station Case No. 446 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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)

shashi/-

U		T	
---	--	---	--

