

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24873 of 2021

Arising Out of PS. Case No.-910 Year-2020 Thana- ARARIA District- Araria

Md. Samruddin @ Samreduuin Male aged about 20 years, Son of Md. Ismuddin @ Md. Aimuddin Resident of Lelin Coloney, Matigara, P.S.- Matigara, District - Darjeeling (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Murlidhar A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Araria (Bairgachhi) P.S. Case No. 910 of 2020, corresponding to Special Case No. 954 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

529.5 liters of foreign liquor has been recovered from a Tata Magic vehicle, of which, this petitioner was cleaner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner, being cleaner of the vehicle, was not aware about the nature of consignment, which was loaded on the vehicle. Petitioner claims clean antecedent and he is in custody since



09.11.2020.

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 Addl. Sessions Judge cum Special Judge, Excise, Araria in connection with Araria (Bairgachhi) P.S. Case No. 910 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.)

anay

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

