

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24693 of 2021

Arising Out of PS. Case No.-157 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Damodar Rai S/o Dewki Rai R/o village- Maricha, P.S.- Maniyari, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar 3 A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Excise Case No. 157 of 2018, P.R. No. 26 of 2018, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

4806 liters of foreign liquor has been recovered from the a truck and this petitioner is alleged to have fled away after seeing the police.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither owner nor driver of the truck in question and has got no concern with the seized liquor. Petitioner is in custody since 09.01.2019.



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 Special Judge Excise, Muzaffarpur in connection with Excise Case No. 157 of 2018, P.R. No. 26 of 2018, 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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