

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24884 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- BIHTA District- Patna

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Biresh Kumar @ Jhulan Son Of Late Ram Babu Ram Resident Of Village-
Baghakol, P.S.- Bikram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain

For the Opposite Party/s : Mr.Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 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 Bihta P.S. Case No. 12 of
2021 (Special Case No. 157/2021), registered for the offence
punishable punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

18 litres of foreign liquor has been recovered from
motorcycle of the petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is neither the
driver nor the owner of vehicle in question. Petitioner has got



clean antecedent and he is in custody since 05.01.2021.

Considering the period of custody and clean antecedent of the petitioner, 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 Special Judge Excise, Patna in connection with Bihta P.S. Case No. 12 of 2021 (Special Case No. 157/2021), 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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