

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26513 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- JANDAHA District- Vaishali

Md Shahajad S/o Md. Shuheb @ Shar R/o village- Bidupur, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Smt. Sahin Begam A.P.P.

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

2. 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jandaha P.S. Case No. 49 of 2020, registered for the offence under Sections 272, 273, 414 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

150 liters of country-made liquor has been recovered from a Bolero vehicle, of which, this petitioner is owner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The vehicle was being driven by the driver and without knowledge or consent of the petitioner, he had loaded aforesaid liquor in the said vehicle. Petitioner has got clean antecedent and he is in custody since 11.01.2021.



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 Addl. Sessions Judge II cum Excise Court, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 49 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.)

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