

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26425 of 2021

Arising Out of PS. Case No.-376 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Sikandar Rai @ Bhulla Son Of Upendra Rai @ Upendra Ray Resident Of
Village - Muhammadpur Sakra, Tola- Taruniya, Ward No.1, P.S.- Vibhutipur,
Distt.- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Sections 272/273 of the Indian Penal
Code and Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 105 liters of foreign
liquor has been recovered from the house of the petitioner.

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 as the house in question is
the joint family property and he is no way concerned with the
alleged recovery. 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 the 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 Samastipur in Vibhutipur Police Station Case No. 376 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)

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