

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26351 of 2021**

Arising Out of PS. Case No.-91 Year-2020 Thana- JAMHOR District- Aurangabad

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Alok Kumar @ Aalok Kumar S/o Vinod Yadav R/o Village- Manikpur, P.S.-
Pandark, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Rajballabh Singh A.P.P.

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

2 29-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jamhor P.S. Case No. 91 of 2020, registered for the offence under Section 30(a)/30(c) of Bihar Prohibition and Excise Act.

1225 liters of spirit has been recovered from a 4-wheeler, of which, this petitioner was driver and apprehended on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner, being driver, was unaware about the nature of consignment. Petitioner claims clean antecedent and he is in custody since 19.12.2020.

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 A.D.J.-II cum Special Judge Excise, Aurangabad in connection with Jamhor P.S. Case No. 91 of 2020 (G.R. No. 1300 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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