

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28743 of 2021**

Arising Out of PS. Case No.-103 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Pintu Kumar aged about 27 years (Male) Son of Ram Chandra Mahto @ Ram Chandra Singh Resident of Village- Keshopur, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Dinesh Singh

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

2 09-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Excise Case No. 103 of 2020 and P.R. No. 03 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

386 liters & 175 ml. of foreign liquor has been recovered from the husk house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the husk house, which is open and accessible to public. Petitioner claims clean antecedent and he is in custody since 22.01.2021.

Learned A.P.P. for the State has opposed the bail



petition.

Considering the period of custody and clean antecedent of the petitioner, 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 Act, Muzaffarpur in connection with Excise Case No. 103 of 2020 and P.R. No. 03 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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