

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28813 of 2021**

Arising Out of PS. Case No.-535 Year-2019 Thana- MINAPUR District- Muzaffarpur

Vicky Kumar Son of Manoj Singh Resident of Village - Piparahan, P.S.-
Minapur (Panapur O.P.), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Md.Mushtaque Alam

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

2. 10-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Minapur P.S. Case No. 535 of 2019, registered for the offence under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38, 41 of Bihar Prohibition and Excise Act.

216 liters of foreign liquor has been recovered from the toilet of co-villager Lalan Singh and it is alleged that same (liquor) was kept there by this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no concern with the alleged recovery and he is in custody since 29.01.2021.

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 Special Judge, Excise Act, Muzaffarpur in connection with Minapur P.S. Case No. 535 of 2019, 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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