

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28690 of 2021**

Arising Out of PS. Case No.-303 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

JEHANGIR ANSARI @ JAHGOR Son of Md. Azad Ansari Resident of
Village - Simalbari, P.S.- Pothia, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Binod Kumar, APP

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

2 09-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Kochadhaman P.S. Case
No. 303 of 2020 corresponding to Special Case No. 374/2020
CIS 374/2020, registered for the offence punishable punishable
under Sections 30(a), 35, 36 and 41 of the Bihar Prohibition and
Excise Act, 2016.

620.64 litres of foreign liquor has been recovered
from a pickup van and petitioner is alleged to be the drive of
said pickup van who was apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was simply



driving the vehicle and was not aware about the nature of consignment which was being transported by the vehicle. Petitioner is in custody since 18.12.2020.

Considering the period of custody, the petitioner above-named, is directed to be enlarged 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 learned Additional District & Sessions Judge II-cum-Special Judge (Excise), Kishanganj in connection with Kochadhaman P.S. Case No. 303 of 2020 corresponding to Special Case No. 374/2020 CIS 374/2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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