

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30110 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- JAMOBABAZAR District- Siwan

KAMLESH SINGH Son of Late Sarwajeet Singh Resident of Village -
Bishambharpur, P.S. - Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Nagendra Pd., APP

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

2 12-08-2021 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 Jamo Bazar P.S. Case No.
23 of 2020, registered for the offence punishable punishable
under Sections 272, 273, 308/34 of the Indian Penal Code and
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

1594 litres of foreign liquor has been recovered from
cattle shed of the petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from cattle shed which is open place and accessible to general
public. Petitioner is in custody since 24.02.2021 having no



criminal antecedent, as stated in para 3 of the petition.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, 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 Sessions Judge II-cum-Special Judge Excise, Siwan in connection with Jamo Bazar P.S. Case No. 23 of 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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