

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33383 of 2021**

Arising Out of PS. Case No.-72 Year-2021 Thana- MOKAMAH District- Patna

Subhash Kumar S/O Kishori Mahto @ Kishor Mahto R/o village- Sultanpur,  
Ward No. 2, P.S.- Mokama, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Md. Sufiyan

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

2. 02-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Special Case No. 1476 of 2021, arising out of Mokama P.S. Case No. 72 of 2021, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

103 liters & 500 ml. of foreign liquor has been recovered from a car and this petitioner was arrested on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent and he is in custody since 01.03.2021. Investigation is complete.

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, Patna in connection with Special Case No. 1476 of 2021, arising out of Mokama P.S. Case No. 72 of 2021, 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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