

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31811 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- PHULWARISHARIF District- Patna

Aditya Kumar S/o Baidhnath Ram R/o Bochachak, P.S.- Phulwarisharif,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Kumar Singh

For the Opposite Party/s : Mr.D.P.Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Phulwarisharif P.S. Case No. 25 of 2021, registered for the offence under Section 30(A) of Bihar Prohibition and Excise Act.

448 liters & 200 ml. of foreign liquor has been recovered from a Milk Van, in which, this petitioner was sitting and he was apprehended on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner was simply a co-passenger and was not aware about the nature of consignment, which was being transported in the vehicle. Petitioner has got clean antecedent and he is in custody since 12.01.2021.



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, Patna in connection with Phulwarisharif P.S. Case No. 25 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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