

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31729 of 2021**

Arising Out of PS. Case No.-231 Year-2020 Thana- PAROO District- Muzaffarpur

PINTU KUMAR @ PINTU SAH SON OF KISHORI SAH @ KISHORI
LAL SAH R/O VILLAGE- RAMPUR KESHO ALIAS MALAHI, P.S.-
PAROO, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

2 26-08-2021 Heard learned counsel for the petitioner and the State.
Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, on secret information that
petitioner and other accused persons were unloading liquor and
selling it, the informants reached the place and found that some
persons were loading liquor in Magic Pick Up vehicle and a
scooter loaded with liquor was there. On seeing the police the
accused persons fled away taking advantage of darkness.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. The petitioner has no
concern with the vehicle and he has been made accused in this
case only on suspicion. Petitioner is in custody since 08.01.2021



and charge sheet has already been submitted in this case.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Special Judge, Excise Act, Muzaffarpur in connection with Paroo PS case No. 231/2020 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her 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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