

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31813 of 2021**

Arising Out of PS. Case No.-702 Year-2020 Thana- BRAHMPUR District- Buxar

Shashi Kant Yadav S/o Sant Bilash Yadav R/o village- Nawadih, P.S.- Koran Sarai, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Dr. Ajit Kumar

**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 Brahampur (Chakki O.P.) P.S. Case No. 702 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

35 liters of country-made liquor has been recovered from possession of this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 31.12.2020. Chargesheet has already been submitted.

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 Additional Sessions Judge 2nd cum Special Judge Excise, Buxar in connection with Brahampur (Chakki O.P.) P.S. Case No. 702 of 2020, 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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