

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31825 of 2021**

Arising Out of PS. Case No.-46 Year-2021 Thana- CHANDAN District- Banka

Rahul Kumar Ram Son of Jaylal Ram Resident of Village - Nutandih, P.S.-
Saraidhala, District - Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**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 Special Excise Case No. 203 of 2021, arising out of Chandan P.S. Case No. 46 of 2021, registered for the offence under Section 30(a)(g) and 32(2) of Bihar Prohibition and Excise Act.

225 liters of country-made liquor has been recovered from an Alto Car, in which, this petitioner was travelling.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner claims clean antecedent and he is in custody since 17.03.2021.

Learned A.P.P. for the State has opposed the bail petition.



Considering the aforesaid facts and circumstances as well as nature of allegation, 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 – II, Banka in connection with Special Excise Case No. 203 of 2021, arising out of Chandan P.S. Case No. 46 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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