

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35807 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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NASIR Son of Phool Mohammad Resident of Village - Mathiya, Post -
Laxminiya, P.S.- Gaur, Dist.- Rautahat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Excise Case No. 100 of
2021, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

162 litres of Nepali Saufi wine has been recovered
from motorcycle of the petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner and he has got nothing to
do with the seized mtorocycle. Petitioner is in custody since
23.02.2021 having no criminal antecedent, as stated in para 3 of



the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, East Champaran, Motihari in connection with Excise Case No. 100 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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