

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35640 of 2021**

Arising Out of PS. Case No.-181 Year-2020 Thana- BUXAR District- Buxar

Udhari Gond Son of Suresh Gond R/O Charitarvan, P.S.- Buxar Town,
District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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

2. 10-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Buxar Town P.S. Case No. 181 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

48 liters & 420 ml. of foreign liquor has been recovered from a plastic bag and petitioner is alleged to have fled away, leaving the plastic bag on road, after seeing the police.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner was not arrested on spot. The recovery has been made from the road, which is a public place. Petitioner is in custody since 28.08.2020. Investigation is complete.



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 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Buxar in connection with Buxar Town P.S. Case No. 181 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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