

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33432 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- SIGAUDI District- Patna

RAJ KUMAR SAO SON OF SIDHANATH SAO Resident of Village -
Sawanbigha, P.S.- Sakurabad, Distt.- Jehanabad, at present residing at
Biranchi, P.S.- Dhanarua, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2021 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 Sigori P.S. Case No. 32 of
2021, registered for the offence punishable punishable under
Section 420 of the Indian Penal Code and section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

1382.250 litres of foreign liquor has been recovered
from a truck and this petitioner was apprehended on the spot
and one co-accused fled away.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is neither
driver nor owner of the truck in question and he was simply a



co-passenger. Petitioner is in custody since 15.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Investigation is complete.

Considering the period of custody coupled with the fact that petitioner claims 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, Patna in connection with Sigori P.S. Case No. 32 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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