

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35599 of 2021

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Garib Nath Kumar s/o Vinod Sahni, r/v-Gurmi, PS-Mushahari, District-
Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2021 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. 91 of
2021, registered for the offence punishable punishable under
Section 30(a)(c), 36 of the Bihar Prohibition and Excise Act,
2016.

100 litres of country made liquor and 1200 litres of
fermented jaggery has been recovered from the bank of river.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is in custody
since 25.02.2021 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 is having 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, Muzaffarpur in connection with Excise P.S. Case No. 91 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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