

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.35040 of 2021**

Arising Out of PS. Case No.-229 Year-2020 Thana- MADHAURAH District- Saran

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Alok Pandey @ Alok Kumar Pandey S/O Late Anil Pandey @ Anil Kumar  
Pandey R/o Village- Agauthar @ Agothar, P.S. - Isuapur, District - Saran.  
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Bhaskar  
For the Opposite Party/s : Mr. Shantanu Kumar

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

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

The petitioner seeks bail in Marhowrah P.S. Case No. 229 of 2020, registered for the offence under Section 30 / 30(a) of Bihar Prohibition and Excise Act.

1100 liters of spirit has been recovered from the orchard of co-accused Ranjeet Rai.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the orchard of co-accused Ranjeet Rai, who has already been granted provisional bail by this Court, and petitioner is in custody since 24.02.2021. 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 Special Judge, Excise Saran at Chapra in connection with Marhowrah P.S. Case No. 229 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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