

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33465 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- MADHAURAH District- Saran

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Alok Pandey @ Alok Kumar Pandey Son of Late Anil Pandey @ Anil Kumar
Pandey Resident of Village - Agauthar @ Agothar, P.S.- Isuapur, Distt.- 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. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Marhowrah P.S. Case No. 21 of 2020, registered for the offence under Section 30 / 30(a) of Bihar Prohibition and Excise Act.

500 liters of spirit/wine and two motorcycles were recovered from the orchard and petitioner is alleged to have indulged in the business of illicit liquor.

It is submitted on behalf of petitioner that neither anything has been recovered from the possession of this petitioner nor he was arrested on the spot and only on suspicion, he has been made accused. Petitioner is in custody in this case 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. 21 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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