

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35045 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- PATORI District- Samastipur

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Ramesh Kumar @ Ramesh Kumar Rai S/o Shri Kishun Rai @ Hari Kishun
Rai R/o village- Dih Dashara, P.S.- Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Usha Kumari Singh
For the Opposite Party/s : Mr. Shyam Kumar Singh

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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 Patori (Mohanpur) P.S. Case No. 56 of 2021, registered for the offence under Section 272/273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

97 liters & 560 ml. of illicit foreign liquor has been recovered from a car, of which, this petitioner was driver.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner, being driver, was unaware about the nature of consignment. Petitioner is in custody since 14.03.2021.

Learned A.P.P. for the State has opposed the bail petition.



Considering the aforesaid facts and circumstances as well as nature of allegation, 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 Additional Sessions Judge II cum Special Judge, Excise Act, Samastipur in connection with Patori (Mohanpur) P.S. Case No. 56 of 2021, Computer Registration No. 195 of 2021, 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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