

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36613 of 2021**

Arising Out of PS. Case No.-49 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Aditya Kumar S/O Late Baban Singh R/O Village-Telaiya, P.S-Telaiya,
District-Kodarma (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Rajendra Singh Shastri

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

2. 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in G.O. Case No. 49 of 2021, registered for the offence under Sections 30(a), 56(b) of Bihar Prohibition and Excise Act.

313.2 liters of foreign liquor has been recovered from Tata Sumo Vehicle, of which, this petitioner was driver and apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner, being driver of the vehicle, was unaware about the nature of consignment and he was simply driving the vehicle, as per instruction of owner. Petitioner claims clean antecedent and is in custody since 05.02.2021.



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

Considering the nature of allegation, clean antecedent 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 Additional Sessions Judge II cum Special Judge, Nawada in connection with G.O. Case No. 49 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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