

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36612 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- MAJORGANJ District- Sitamarhi

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Suman Kumar S/o Shivjee Shah R/o village- Bahera, P.S.- Majorganj,
District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar 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 Majorganj P.S. Case No. 05 of 2021, registered for the offence under Section 414 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

188 liters 700 ml. of Nepali Saufi Wine has been recovered from three motorcycles and this petitioner was apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no concern either with the seized liquor or motorcycle. Petitioner is in custody since 05.01.2021. Chargesheet has been submitted.

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 Additional District & Sessions Judge II cum Special Judge, Excise Act, Sitamarhi in connection with Majorganj P.S. Case No. 05 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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