

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36917 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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Prince Kumar S/O Suraj Sah R/O Village-Noniya Tola, Ward No.20, P.S-
Gopalganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Ganesh Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2021 This matter is taken up for consideration through

Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Gopalganj Town P.S. Case
No. 166 of 2021, registered for the offence punishable
punishable under Section 273 of the Indian Penal Code and
section 30(a)/41(i) of the Bihar Prohibition and Excise Act,
2018.

118.740 litres of foreign liquor has been recovered
from a Car and motorcycle and this petitioner is alleged to have
been arrested by the police while fleeing away from the place of
occurrence.

It is submitted that no recovery has been made from



conscious possession of this petitioner. Petitioner is neither owner nor driver of the vehicles in question. Petitioner is in custody since 12.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge II-cum-Special Judge, Gopalganj in connection with Gopalganj Town P.S. Case No. 166 of 2021, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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