

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38105 of 2021**

Arising Out of PS. Case No.-110 Year-2021 Thana- RAJAON District- Banka

Sunil Mandal Son of Bhado Mandal Resident of Village - Shahabad Goryasi,
P.S. Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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

2 23-09-2021 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 Rajoun (Nabada) P.S.
Case No. 110 of 2021, registered for the offence punishable
punishable under Sections 30(a), 32(2) of the Bihar Prohibition
and Excise Act, 2016.

167.085 litres of foreign liquor has been recovered
from tempo and this petitioner being driver was apprehended on
the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was simply
driving the vehicle and was not aware about the nature of



consignment. Petitioner has got clean antecedent and he is in custody since 25.03.2021. Investigation is complete.

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 Sessions Judge II, Banka in connection with Rajoun (Nabada) P.S. Case No. 110 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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