

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38371 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- BRAHMPUR District- Buxar

Nanhak Thakur @ Lakshman Thakur S/o Baij Nath Thakur R/O Vill. -
Nouranga Bhuwal Chapra, P.S. - Bairiya, Dist. - Balia (U.P).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30(a) and (d) of the Bihar Prohibition and Excise Act and section 420 and other allied sections of the Indian Penal Code.

As per the prosecution case, 182 liters of foreign liquor has been recovered from a Santro car.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is neither driver nor owner of the vehicle. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is in custody since 27.2.2021. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, above named, 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 the Additional Sessions Judge II cum Special Judge, Excise Act Buxar in Brahmpur Nainijor Police Station Case No. 122 of 2021 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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