

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38594 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Ganesh Raut Son of Nageshwar Raut Resident of Village- Dumri, Ward No.
-05, P.S.- Mejorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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

2 24-09-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in C2 Case No. 119 of 2021,
registered for the offence punishable punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

226 litres of Nepali Saufi wine has been recovered
from possession of petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is in custody
since 23.02.2021 having no criminal antecedent, as stated in
para 3 of the petition. 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 District & Sessions Judge II-cum-Special Judge Excise, Sitamarhi in connection with C2 Case No. 119 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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