

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37849 of 2021**

Arising Out of PS. Case No.-70 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Naveen Kumar @ Naveen Son of Vijay Kumar Ray Resident of Village -
Dwarika Nagar, P.S.- Mushahari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra

For the Opposite Party/s : Dr.M.K.Gautam,APP

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

2. 22-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Mushahari P.S. Case No. 70 of 2021, G.R. Case No. 927 of 2021, registered for the offence under Sections 272, 273, 34 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

51 liters & 840 ml. of illicit foreign liquor has been recovered from the car of the petitioner and petitioner was apprehended on the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the car, which was parked outside the house of the petitioner, and petitioner has got no concern either with the said car or seized liquor. Petitioner is in custody since 27.03.2021. Investigation is complete.



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 Special Judge Excise, Muzaffarpur in connection with Mushahari P.S. Case No. 70 of 2021, G.R. Case No. 927 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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