

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38107 of 2021**

Arising Out of PS. Case No.-42 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

SARVESH KUMAR Son of Late Kamta Bind Resident of Village- Chilbili,
P.S.- Kudra, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

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 Kudra P.S. Case No. 42 of
2021 (Excise Case No. 152 of 2021), registered for the offence
punishable punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

10 litres of country made liquor and 100 KG of Jawa
Mahua have been recovered from the bank of river Durgawati.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from public place which is accessible to general public.
Petitioner is in custody since 01.03.2021. Chargesheet has



already been submitted.

Considering the period of custody, 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 Iind-cum-Special Judge (Excise Act) in connection with Kudra P.S. Case No. 42 of 2021 (Excise Case No. 152 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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