

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39011 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- HATHAURI District- Samastipur

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Ghanashyam Panjiyar Son of Ram Narain Panjiyar Resident of Village-
Bahera, Panchwari Bazar Ward No. 3, P.S.- Bahera, District- Darbhanga
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Hathauri P.S. Case No. 55
of 2021, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

2945.160 litres of foreign liquor has been recovered
from a truck and petitioner and two others were found sitting in
that truck who were arrested on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was neither
driver nor owner of the truck in question. He was simply a co-
passenger and was not aware about the nature of consignment.
Petitioner is in custody since 24.04.2021 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 Sessions Judge -II-cum-Special Judge (Excise), Samastipur in connection with Hathauri P.S. Case No. 55 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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