

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39352 of 2021**

Arising Out of PS. Case No.-65 Year-2020 Thana- KARAMCHAT District- Kaimur (Bhabua)

Sanjay Prasad S/O Heera Sah R/O Village-Malhipur, P.S-Chenari, District-Rohtas At Sasaram.

... .. 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.Suresh Pd. Singh, APP

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

2 04-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Karamchat P.S. Case No. 65 of 2020 (Excise Case No. 977 of 2020), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

6 litres of country made Mahua liquor and 1600 KG of Mahua flower have been recovered from the bank of river. Petitioner is alleged to be one of the persons who was seen fleeing away from the place of occurrence.

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 14.03.2021 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 Special Judge (Excise), Kaimur at Bhabua in connection with Karamchat P.S. Case No. 65 of 2020 (Excise Case No. 977 of 2020), 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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