

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40491 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

Sarvesh Bind S/O Late Kamta Bind R/O 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.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Excise Case No. 165 of 2021, arising out of Kudra P.S. Case No. 47 of 2021, registered for the offence under Section 30(a) / 26 of Bihar Prohibition and Excise Act.

Two liters of country-made liquor has been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 16.02.2021. 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 A.D.J. - II cum Special Judge (Excise), Kaimur at Bhabua in connection with Excise Case No. 165 of 2021, arising out of Kudra P.S. Case No. 47 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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