

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40250 of 2021

Arising Out of PS. Case No.-140 Year-2021 Thana- BAUSI District- Purnia

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Raja Kumar @ Raja Kumar Das Son of Raj Kumar Das Resident of -
Ghormara, Beside Police Line, P.S. Kishanganj District - Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Baisi P.S. Case No. 140 of
2021, registered for the offence punishable punishable under
Section 272/273 of the Indian Penal Code and section
30(a)/41/47 of the Bihar Prohibition and Excise Act, 2016.

810 litres of foreign liquor has been recovered from
Bolero vehicle and this petitioner being driver was apprehended
on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was simply
driving the vehicle on the instruction of owner and was not
aware about the nature of consignment. Petitioner is in custody
since 10.05.2021 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, Purnea in connection with Baisi P.S. Case No. 140 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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