

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40513 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- RIGA District- Sitamarhi

Jay Prakash Kumar @ Bambam @ Jay Prakash Son of Harischandra Paswan
Resident of Village - Ramnagar Riga Tole, P.S.- Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Riga P.S. Case No. 110 of 2020, registered for the offence punishable punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

135 litres of Nepali saufi wine has been recovered from bags kept in the orchard. Petitioner is alleged to have run away from the place of occurrence after noticing the police party.

It is submitted that no recovery has been made from conscious possession of this petitioner. Recovery has been made from the orchard and petitioner has got nothing to do with the alleged recovery. Petitioner is in custody since 08.04.2021. Investigation is complete.



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 II-cum-Special Judge Excise Act, Sitamarhi in connection with Riga P.S. Case No. 110 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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