

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40514 of 2021**

Arising Out of PS. Case No.-74 Year-2021 Thana- SABAUR District- Bhagalpur

Swatantra Kumar Jha @ Swatantra Kumar @ Namo Jha S/o Upendra Jha R/o
village- Sardho, P.O.- Bishanpur Jichho, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Abhay Kumar, APP

**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 Sabour P.S. Case No. 74
of 2021, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

32 litres of foreign liquor has been recovered from
possession of this petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from the house which is in joint possession of family. Petitioner
is in custody since 19.03.2021 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, Bhagalpur in connection with Sabour P.S. Case No. 74 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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