

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40976 of 2021

Arising Out of PS. Case No.-263 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Ajit Kumar @ Tabu Lal Son of Naresh Sah Resident of Village- Kishanpur,
P.O.- Ghataho Bahdurpur Armauli, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Khodabandpur P.S. Case No. 263 of 2019, registered for the offence punishable punishable under Sections 120(B), 414, 272, 273/34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

362.88 litres of foreign liquor has been recovered from 02 motorcycle which were parked in mango orchard.

It is submitted that no recovery has been made from conscious possession of this petitioner. Petitioner is neither owner nor driver of vehicle in question and he has got no concern with the seized liquor. Petitioner is in custody since 23.03.2021 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, Begusarai in connection with Khodawandpur P.S. Case No. 263 of 2019, 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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