

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41240 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- BHAGWAN BAZAR District- Saran

Ganesh Saini S/O Shambhu Saini Resident Of Village Sastri Nagar Nijampur
Road, P.S. Layenpar, District-Jhajar (HARYANA)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Ashok Kumar Singh

**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 Bhagwan Bazar P.S. Case No. 139 of 2021, registered for the offence punishable punishable under Sections 414, 420, 468 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

272.7 litres of foreign liquor has been recovered from a car of which this petitioner was occupant.

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 simply a co-passenger. Petitioner has no concern with the seized liquor and he is in custody since 08.03.2021 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 Additional District & Sessions Judge 2nd-cum-Special Judge Excise, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 139 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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