

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40746 of 2020

Arising Out of PS. Case No.-260 Year-2020 Thana- AMNAUR District- Saran

Prakash Rai aged about 30 years son of Dinanath Ray R/o Village- Terasiya,
P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 30 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 19 quintals and 45 kilograms Bhang was recovered from the Pickup van and the petitioner is said to be the driver of the said van.

Learned counsel appearing for the petitioner submits that the petitioner was not aware of the consignment being carried by the said Pickup van. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition. He is no way concerned with the alleged recovery. He is in custody since 17.7.2020. Charge sheet has



already been submitted.

Considering the facts of the case, let the petitioner, above named, be released 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 Additional Sessions Judge II cum Special Judge, Excise Act Saran in Amnour Police Station Case No. 260 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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