

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38163 of 2020

Arising Out of PS. Case No.-92 Year-2019 Thana- MATIHANI District- Begusarai

Vinay Kumar aged about 32 years Son Of Sri Mahendra Sharma @ Mahendra Kumar Resident Of Village - Power House Road, Ward No. 31, P.S. - Nager, District - Begusarai, Permanent Address - Village - Rajoura, P.S. - Muffasil, District - Begusarai

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Man Bansh, Advocate

For the Opposite Party/s : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence punishable under sections 420/120B and other ancillary sections of the Indian Penal Code and sections 30, 32, 38, 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, huge quantity of illicit liquor was recovered and co-accused Md.Akram was arrested who disclosed the name of this petitioner who managed to escape after seeing the police party.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the confessional statement of co-accused. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent



and he is in custody since 10.9.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Special Judge Excise Act, Begusarai in Matihani Police Station Case No. 92 of 2019 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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