

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38146 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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DILIP JHA, son of late Ramesh Jha, Resident of village- Manjhol, P.S.
Cheriya Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Prasad Singh, Adv.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard both parties.

The petitioner seeks bail in Complaint Case No. 190
C2/2019 registered for the offence punishable under Section
30(a) of the Bihar Prohibition & Excise Act, 2016.

As per prosecution case, 135 litres of foreign liquor
has been recovered from a Commander Jeep which was driven
by this petitioner.

It is submitted that nothing has been recovered from
the conscious possession of this petitioner. He was simply driver
of the vehicle and was not aware of the nature of the
consignment. He is in custody since 25.10.2019.

Considering the facts and circumstances of the fact,
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 learned 2nd Addl. District & Sessions Judge-cum-Special Judge, Excise Court, Begusarai, subject to the 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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