

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38122 of 2020**

Arising Out of PS. Case No.-237 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gopalganj

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ARVIND KUMAR Son of Sri Ramkrishna Prasad Yadav Resident of Village-  
Balichhapar, P.S.- Sidhwalia, District- Gopalganj - 841423.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satyabir Bharti  
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

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

The petitioner is in custody since 05.09.2020 in connection with Excise Case No. 237 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 19.400 litres of country made liquor has been recovered from the water plant of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that petitioner is not the owner of the water plant in question. Petitioner is in custody since



05.09.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge II cum Special Judge, Excise, Gopalganj, in connection with Excise Case No. 237/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers 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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