

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40646 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- JAGDISHPUR District- Bhojpur

SONU KUMAR KASERA Son of Rajendra Prasad Kasera @ Rajendra Prasad Resident of Mohalla - D.M. Road, Ward No. 13, P.S. - Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-02-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is in custody since 11.09.2020 in connection with Jagdishpur P.S. Case No. 55/2020 (Excise Case No. 585/2020) registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 77.100 litres of illicit foreign liquor has been recovered from the house of the co-accused Sanjivan Singh.

It is submitted on behalf of the petitioner that petitioner has been made accused on the basis of confessional statement of the co-accused Sanjivan Singh which has no evidently value. It is further submitted that nothing has been recovered from the conscious possession of the petitioner.



Chargesheet has already been submitted in this case. Petitioner has been in custody since 11.09.2020.

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, IV cum Special Judge, Excise, Bhojpur, Ara, in connection with Jagdishpur P.S. Case No. 55/2020, 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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