

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40496 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- JALE District- Darbhanga

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KISHAN KUMAR SAH @ KRISHNA KUMAR SAH, SON OF DUKHI SAH, RESIDENT OF VILLAGE - BINWARA (BELWARA), KOILATHAN, P.S. - KEOTI, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-02-2021 Heard both parties.

The petitioner seeks bail in G.O. Case No. 1065/2019, arising out of Jalley P.S. Case No. 173/2019 registered for the offence punishable under Section 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Earlier bail application of the petitioner was rejected by a co-ordinate bench of this Court, vide order dated 14.05.2020 passed in Cr. Misc. No. 5430/2020, with liberty to renew the prayer after proper instruction.

It is alleged that 162 litres of foreign liquor has been recovered from a car, of which petitioner was driver.

It is submitted that petitioner is accused in two other



criminal cases but he is on bail in both cases.

Charge-sheet has already been submitted. Petitioner is in custody since 18.10.2019.

Considering the facts and circumstances of the case, 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 the Additional Sessions Judge IInd-cum-Special Judge (Excise), Darbhanga, 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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