

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40528 of 2020**

Arising Out of PS. Case No.-136 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

BITTU KUMAR @ BITTU SAHANI SON OF GARIBNATH SAHANI
RESIDENT OF VILLAGE - JHAPAHAN DIH, P.S. - AHIYAPUR,
DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.A.G

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

2 09-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Ahiyapur P.S. Case No. 136 of 2020, registered for the offence punishable punishable under Sections 272, 273 and 34 of the Indian Penal Code and section 30(a)/36 of the Bihar Prohibition and Excise Act, 2016.

129.6 litres of foreign liquor has been recovered from the house of this petitioner.

It is submitted that nothing has been recovered from conscious possession of this petitioner. Petitioner was not arrested on the spot and he has no concern with the seized liquor. House is in joint possession of family. Chargesheet has already been submitted. Petitioner is in custody since 17.04.2020.



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 learned Special Judge (Excise Act), Muzaffarpur in connection with Ahiyapur P.S. Case No. 136 of 2020, subject to 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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