

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1686 of 2021**

Arising Out of PS. Case No.-327 Year-2020 Thana- MINAPUR District- Muzaffarpur

Bhola Kumar @ Sajjan S/O Sonelal Bhagat Resident of Village - Motipur,
P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Addl. Public Prosecutor

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

2. 03-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Minapur P.S. Case No. 327 of 2020, registered for the offence under Sections 272/273/414/34 of the Indian Penal Code and Sections 30(a)/41 of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 53.250 liters of Indian make foreign liquor is said to have been recovered from the house of co-accused Brahamdeo Chaudhary, who disclosed the name of petitioner, as one of the person, who fled away after seeing the police.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Alleged recovery has been made from the house of co-accused Brahamdeo Chaudhary. Petitioner has got clean antecedent and he is in custody since 13.09.2020.



Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 Special Judge, Excise Act, Muzaffarpur in connection with Minapur P.S. Case No. 327 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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