

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1804 of 2021

Arising Out of PS. Case No.-457 Year-2020 Thana- MAHUA District- Vaishali

RAJ KUMAR S/O SURENDRA RAI Resident Of Village - Chak Faij Ward
No. 5, P. S. - Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 15.08.2020 in connection with Mahua P.S. Case No. 457/2020 registered for the offences punishable under Sections 30(a)/32(ii)/38(ii)/41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, during night patrolling, a pick van which was coming from Jandaha via Kadhio was intercepted and 1411.140 liters of India made foreign liquor was recovered from the said vehicle. It is further alleged that petitioner was driving the pick-up van and was apprehended on the spot.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner and the petitioner being driver of the pick-up van was



not aware about the nature of consignment. Petitioner has got no criminal antecedent and he is in custody since 15.08.2020.

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 Session Judge II cum Excise Court, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 457/2020, 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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