

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4346 of 2021

Arising Out of PS. Case No.-265 Year-2019 Thana- LALGANJ District- Vaishali

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ANISH KUMAR @ ANISH SINGH Son of Chandrakhet Singh Resident of
Village - Sirsa Ram Rai, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 09.08.2020 in connection with Lalganj P.S. Case No. 265 of 2019 registered for the offences punishable under Sections 30(a)/32(ii)/41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 2978.8 liters of foreign liquor has been recovered from the Pick-up van which is alleged to have been brought by this petitioner along with co-accused Bhola Singh.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner and the alleged recovery has been made from the Pick-up van which was parked inside the dairy farm of co-accused Bhola Singh. Chargesheet has already been submitted in this case. Petitioner is in custody since 09.08.2020.



Considering the aforesaid facts and circumstances and the fact that no recovery has been made from the possession of the petitioner, coupled with the fact that chargesheet has already been submitted in this case, 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 Addl. Sessions Judge II cum Excise Court, Vaishali, Hajipur, in connection with Lalganj P.S. Case No. 265 of 2019, 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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