

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40763 of 2020

Arising Out of PS. Case No.-138 Year-2020 Thana- DAGARUA District- Purnia

Mrityunjay Kumar (Male), aged about 22 years S/o Parasuram Yadav R/o
Village- Bagbani, Ward No. 1, P.S.- Bhaili, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Priyanka Singh, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-02-2021 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Dagarua P.S. Case No.
138 of 2020 registered for the offence under Sections 272, 273
of the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

117 liters of foreign liquor has been recovered from
a tempo and this petitioner alongwith one co-accused have been
arrested on the spot.

It is submitted on behalf of petitioner that petitioner
is neither owner nor driver of the seized tempo. Nothing has
been recovered from conscious possession of the petitioner.
Petitioner has got clean antecedent, as stated in paragraph – 3 of
the petition and he is in custody since 28-08-2020.



Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be released 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 Excise Judge, Purnea in connection with Dagarua P.S. Case No. 138 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 and shall remain physically present, as directed by the Court 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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