

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1735 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- DIDARGANJ District- Patna

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SANKAR KUMAR S/o Vipin Ray R/o Village- Rampur, Shyamchandra
(Jhawan Tola), P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 06.06.2020 in connection with Didarganj P.S. Case No. 121/2020 registered for the offences punishable under Sections 30(a)/36 of the Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

As per the prosecution case, 250 litres of foreign liquor has been recovered the tempo in which the petitioner was travelling and he was arrested on the spot.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Petitioner is neither the driver nor the owner of the vehicle in question and he was simply travelling in the tempo. It is further submitted that he was not aware about the nature of consignment which is being carried in the vehicle. Chargesheet



has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since 06.06.2020.

Considering the period of custody coupled with the fact that the petitioner has got no criminal antecedent, 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 Special Court, Excise, Patna, in connection with Didarganj P.S. Case No. 121/2020, 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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