

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3025 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- MINAPUR District- Muzaffarpur

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LAKHENDRA BHAGAT SON OF LATE JAI KISHOR BHAGAT
RESIDENT OF VILLAGE KHARIKA, P.S. MINAPUR (O.P. PANAPUR),
DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Minapur P.S. Case No.
126 of 2020, registered for the offence punishable punishable
under Sections 272, 273, 34 of the Indian Penal Code and
section 30(a) and 41 of the Bihar Prohibition and Excise Act,
2018.

63 litres of foreign liquor has been recovered from the
house of petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. The house in question is
in joint possession. Petitioner has no concern with the seized
liquor. Petitioner is in custody since 04.08.2020 having no



criminal antecedent, as stated in para 3 of the petition.
Chargesheet has already been submitted.

Considering the fact that recovery has been made from the house which is in joint possession and petitioner bears clean antecedent, the petitioner above-named, is directed to 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 the learned Special Judge Excise, Muzaffarpur in connection with Minapur P.S. Case No. 126 of 2020, subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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