

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40459 of 2020**

Arising Out of PS. Case No.-202 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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SUMAN KUMAR Son of Sudhir Mahto Resident of Ward No.01, Bakhatpur,
Bathauli, Tilrath, P.S.- Birpur, Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party : Mr. Umeshanand Pandit, Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-02-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 244.440 liters of foreign liquor has been recovered from the cattle shed situated behind the house of co-accused Rakesh Kumar and petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner has got no criminal antecedent and he is in custody since 4.10.2020.



Considering the facts of the case, let the petitioner, above named, 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 the Additional Sessions Judge II cum Special Judge, Excise Act, Begusarai in Complaint Case No. 202 c2 of 2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her 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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