

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1140 of 2021

Arising Out of PS. Case No.-468 Year-2020 Thana- MANER District- Patna

Hari Charan Son of Late Ambika Rai Resident of Village - Khaspur, P.S. -
Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Special Case No. 5069 of 2020, arising out of Maner P.S. Case No. 468 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 394.5 liters of illicit liquor has been recovered from a small truck container, which was parked near Gas Godown at Khaspur and the driver and one Lakhveer Singh were arrested on the spot, who disclosed the name of this petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner is neither owner nor driver of the seized truck. Petitioner has been named in this case only on the basis of



confessional statement of co-accused and he is in custody since 14.09.2020, having no criminal antecedent. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Special Judge (Excise), Patna in connection with Special Case No. 5069 of 2020, arising out of Maner P.S. Case No. 468 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 below and shall remain physically present, as directed by the court below, 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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