

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40732 of 2020

Arising Out of PS. Case No.-196 Year-2020 Thana- MIRGANJ District- Gopalganj

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Jitendra Lohiya aged 30 years S/o Late Shyam Singh @ Late Shyam Singh Chaudhary R/o F-2/352, Shiv Durga Vihar Larakpur, P.S.- Surajkund, Distt-Faridabad. Haryana.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Chandra Shekhar Singh, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and the State.

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

As per the prosecution case, 187.800 liters of wine was recovered from a parked vehicle of which the petitioner was driver. Petitioner was arrested on the spot.

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 clean antecedent as stated in paragraph 3 of the bail petition.



Petitioner is in custody since 30.9.2020.

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, Gopalganj in Mirganj Police Station Case No. 196 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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