

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1072 of 2021

Arising Out of PS. Case No.-236 Year-2020 Thana- BAHERI District- Darbhanga

Sanjay Mukhiya Son of Ramchandra Mukhiya Resident of Village- Jorga
Abhimanpur, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in G.O. Case No. 1052 of 2020, arising out of Baheri P.S. Case No. 236 of 2020 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, from possession of this petitioner, four bottles each containing 375 ml. (total 1.5 liters) of foreign liquor have been recovered.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of petitioner. Petitioner has got clean antecedent and is in custody since 05.10.2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, the bail application of petitioner is



allowed. Let the above named petitioner 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 learned 2nd Addl. Sessions Judge cum Special Judge (Excise), Darbhanga in connection with G.O. Case No. 1052 of 2020, arising out of Baheri P.S. Case No. 236 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 and shall remain physically present, as directed by the Court 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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