

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4282 of 2021

Arising Out of PS. Case No.-315 Year-2020 Thana- BAJPATTI District- Sitamarhi

MD. MUSTAQ @ MD. MUSTAK S/O LATE MD. SHABBIR R/O
VILLAGE-MADHUBAN BAZAR @ MADHUBAN GOT, P.S.-BAJPATTI,
DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 12.09.2020 in connection with Bajpatti P.S. Case No. 315/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on a secret information, raid was conducted and 501 liters of illegal liquor has been recovered in the bush at the bank of Admara River.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. It is further submitted that petitioner was identified by the Chowkidar to be the person who has fled away after seeing the police. Chargesheet has already been submitted in this case.



Petitioner has got no criminal antecedent and he is in custody since 12.09.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that petitioner has got no criminal antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ADJ-II cum Special Judge, Excise Act, Sitamarhi, in connection with Bajpatti P.S. Case No. 315/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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