

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1760 of 2021**

Arising Out of PS. Case No.-505 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAJESH RAI @ RAJESH KUMAR SON OF LATE JAYNARAIN RAI
RESIDENT OF VILLAGE - MATIHANI, GAYASPUR, P.S. - PAROO,
DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rupa Kumari.

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

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

2 04-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sadar P.S. Case No. 505
of 2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

161.640 litres of foreign liquor has been recovered
from a Tata Sumo vehicle and this petitioner was driver of the
said vehicle who was apprehended on the spot.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Petitioner being driver
was not aware of the nature of consignment and has no concern
with the seized liquor. Petitioner is in custody since 12.09.2020
and bears clean antecedent.



Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Special Judge Excise Act, Muzaffarpur in connection with Sadar P.S. Case No. 505 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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