

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1698 of 2021**

Arising Out of PS. Case No.-98 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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MD NOOR HASAN @ NOOR HASAN Son of Ali Hasan Resident of
Village- Bhauara Ward No.22, P.S.- Town Madhubani, Distt- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.A.G.

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

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

The petitioner seeks bail in G.O. Case No. 98 of 2020,
registered for the offence punishable punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

180 litres of Nepali country made liquor has been
recovered from a Maruti car and petitioner is 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 of
the vehicle was not aware of the nature of consignment.
Petitioner is in custody since 15.07.2020. Chargesheet has
already been submitted.



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 Additional Sessions Judge II-cum-Special Judge Excise Act, Madhubani in connection with G.O. Case No. 98 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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