

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1755 of 2021**

Arising Out of PS. Case No.-223 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SANJEEV RAI Son of Jiya Lal Yadav @ Jiya Lal Rai Resident of Village -
Mohamadpur, Police Station - Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Mr.Rajendra Singh, APP

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

3 17-05-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Town P.S. Case No. 223 of

2020, registered for the offence punishable under Sections 30(a)

and 41(i) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, on secret information that

illegal consignment of liquor has been brought by this petitioner

and other accused persons, raid was conducted and 438.225

litres of foreign liquor has been recovered from a Scorpio

vehicle.

It is submitted on behalf of the petitioner that nothing

has been recovered from conscious possession of this petitioner.



Petitioner is neither the owner nor the driver of vehicle in question. Petitioner has been remanded in this case on 19.09.2020.

Considering the fact that nothing has been recovered from conscious possession of this petitioner, 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 Town P.S. Case No. 223 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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