

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4435 of 2021**

Arising Out of PS. Case No.-575 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SACHIN KUMAR SON OF BAUA SINGH RESIDENT OF MOHALLA -
ANDIGOLA, P.S. - TOWN, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.APP

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

2 23-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in Muzaffarpur Town P.S.
Case No. 575 of 2020 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 378 liters of foreign
liquor has been recovered from the Aactiva scooty which was
being driven by the petitioner.

It is submitted on behalf of the petitioner that nothing
has been recovered from the possession of the petitioner. It is
further submitted that admittedly the aforesaid liquor belong to
co-accused Avinash [Singh@Nanki](#) and Rikki and petitioner has
got no concern with the alleged recovery and he was simply a



driver of the said vehicle. Chargesheet has already been submitted in this case. Petitioner is in custody since 18.09.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the conscious possession of the petitioner, coupled with the fact that chargesheet has already been submitted in this case, 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 Special Judge, Excise Act, Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No. 575/2020, 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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