

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1729 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

PRABHAT KUMAR SINGH S/O MANOJ SINGH RESIDENT OF
VILLAGE RAMPUR ASLI, P.S.-SAHEBGANJ, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner is in custody since 19.09.2020 in connection with Sahebganj P.S. Case No. 113/2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 272/273/414 of the Indian Penal Code.

As per the prosecution case, 2100.39 litres of foreign liquor has been recovered from the 4-5 small vehicles which were parked in the garden of Devendra Singh of village Bariya.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR, his name surfaced during the course of investigation. It is further submitted that nothing has been recovered from the conscious possession of the petitioner.



It is next submitted that petitioner is not the owner of the vehicle in question. Chargesheet has already been submitted in this case. Petitioner is in custody since 19.09.2020 having no criminal antecedent.

Considering the aforesaid facts and circumstances, 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 Sahebganj P.S. Case No. 113/2020, 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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