

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1777 of 2021**

Arising Out of PS. Case No.-627 Year-2020 Thana- KUDHNI District- Muzaffarpur

Sukesh Kumar Son of Panchhilal Rai @ Panchi Lal Ray Resident of Village
Mohammadpur, P.S Paroo, Dist Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Addl. Public Prosecutor

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

2. 04-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Kudhani (Turki O.P.) P.S.
Case No. 627 of 2020, registered for the offence under Sections
272, 273, 414 & 34 of the Indian Penal Code and Section 30(a)
of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 90 liters of illicit foreign
liquor has been recovered from a Swift Dzire Car and this
petitioner alongwith co-accused Govind Kumar (driver of the
vehicle) were arrested on the spot.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner.
Petitioner is neither owner nor driver of the seized car. He was
simply sitting beside the driver and was unaware about the
nature of consignment. Petitioner has got clean antecedent and



is in custody since 01.10.2020.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Special Judge, Excise Act, Muzaffarpur in connection with Kudhani (Turki O.P.) P.S. Case No. 627 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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