

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1826 of 2021

Arising Out of PS. Case No.-371 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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AMJAD NADAF @ MD AMJAD NADAF @ AMZAD NADAF Son of Md.
Munif Nadaf R/O Village - Shamshi Ward No. 2 @ Shamsi Ward No. 2, P.S.
Shamshi @ Samsi, District - Mohtari @ Mohattari@ mahotari (Nepal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 09.10.2020 in connection with C2 case No. 371/20 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 114.00 litres of Nepali Saufi Liquor was recovered from the possession of 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 petitioner has been falsely implicated in this case due to political rivalry and animosity and he has nothing to do with the alleged recovery. Chargesheet has already



been submitted in this case. Petitioner is in custody since 09.10.2020 having clean 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 ADJ II cum Special Judge, Excise Act, Sitamarhi, in connection with C2 case No. 371/20, 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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