

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4280 of 2021

Arising Out of PS. Case No.-364 Year-2020 Thana- RAJIVNAGAR District- Patna

ARVIND KUMAR Son of Late Rajendra Prasad Singh Resident of Village-
Gandhinagar, Sector 4 Road No. 1, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 19.10.2020 in connection with Rajiv Nagar P.S. Case No. 364 of 2020 registered for the offences punishable under Sections 353 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 123.75 liters of foreign liquor has been recovered from the house 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 the alleged recovery has been made from the part of the house which was given on rent to Shashi. Chargesheet has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since



19.10.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that petitioner bears clean antecedent and 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, Patna, in connection with Rajiv Nagar P.S. Case No. 364/2020, 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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