

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1730 of 2021

Arising Out of PS. Case No.-367 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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PRAHLAD PRASAD @ PAHLAD PRASAD S/o Late Ganpat Prasad R/o
village- Basbariya, Ward No. 01, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in C2 Case No. 367 of 2020,
registered for the offence punishable punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 81 litres of Nepali saufi
wine has been recovered from the house of petitioner.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Petitioner has no
concern with the seized wine. Petitioner is in custody since
04.10.2020 having no criminal antecedent, as stated in para 3 of
the petition. Chargesheet has already been submitted.

Considering the facts and circumstances of the case



coupled with the fact that petitioner has got no criminal antecedent, the petitioner above-named, is directed to 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 the learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Sitamarhi in connection with C2 Case No. 367 of 2020, subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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