

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4934 of 2021**

Arising Out of PS. Case No.-98 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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SURESH SINGH SON OF LATE UCHIT NARAYAN SINGH resident of
village - Kurwan, P.S.- Beldour, Distt- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.APP

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

2 26-03-2021 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 Excise Case No. 98c3/2020 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, total 58.125 liters of
foreign liquor has been recovered from the half constructed
house of the petitioner.

It is submitted on behalf of the petitioner that nothing
has been recovered from the conscious possession of the
petitioner. It is further submitted that the alleged recovery has
been made from the half constructed house which is accessible
to general public. Chargesheet has already been submitted in



this case. Petitioner has got no criminal antecedent and he is in custody since 09.10.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that petitioner has got clean antecedent, 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 Additional Sessions Judge-2 cum Special Judge, Excise Act, Khagaria, in connection with Excise Case No. 98c3/2020, 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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