

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5791 of 2021

Arising Out of PS. Case No.-294 Year-2020 Thana- BYPASS District- Patna

Prashant Kumar, Son of Late Ajit Singh, Resident of Mohalla West Lohanipur
Ram Niwas Singh Katra Lane, P.S.- Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 120(B), 420, 414, 467, 468, 471 of the Indian Penal Code and Section 30(a), 36, 41(1) of Bihar Prohibition and Excise Act.

As per F.I.R. the police on the basis of secret information proceeded toward the place of occurrence i.e. stone chips plant of one Vivek Kumar and upon seeing the police party three persons tried to flee away but were arrested including the petitioner and from the truck in the godown of



Vivek Kumar 4815 liters of liquor was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner neither truck belongs to the petitioner. Similarly placed co-accused have been granted bail by co-ordinate bench of this court vide order dated 25.03.2021 passed in Cr. Misc. No. 5253 of 2021 and order dated 05.04.2021 passed in Cr. Misc. No. 662 of 2021 respectively. Petitioner is in custody since 04.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, in connection with Patna By-Pass P.S. Case No. 294 of 2020 (Spl. Case No. 5164 of 2020), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3) 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.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Rajiv/-

U		T	
---	--	---	--

