

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6363 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- MAHINDWARA District- Sitamarhi

Rai Bajrangi S/o Satya Narayan Rai Resident of Vill.- Pamra, P.S.- Punaura,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Mahindwara P.S. Case No. 112 of 2020, registered for the offence under Section 414 of the Indian Penal Code and Sections 30(a)(b)(c)(f), 36, 37 and 41 of Bihar Prohibition and Excise Act.

As per the prosecution case, on a secret information, a raid was conducted and this petitioner was arrested on spot and three vehicles were seized and upon search, total 705.24 liters of illicit liquor was recovered from all the three vehicles.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner is neither owner nor driver of any of the seized vehicles. Petitioner claims clean antecedent and he is in custody



since 06.09.2020.

Considering the fact that nothing has been recovered from conscious possession of petitioner coupled with the fact that petitioner has got clean antecedent, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi, in connection with Mahindwara P.S. Case No. 112 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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