

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6499 of 2021

Arising Out of PS. Case No.-254 Year-2020 Thana- BAUNSI District- Banka

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Suvash Kumar @ Subhash Kumar Son of Prahalad Mandal Resident of
Village - Auria, P.S.- Barahat, District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 Heard learned counsel for the parties through virtual
mode.

The petitioner seeks bail in Special Case No. 537 of
2020, arising out of Baushi P.S. Case No. 254 of 2020,
registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act.

As per the prosecution case, this petitioner alongwith
two other co-accused persons were arrested on the spot
alongwith a Tempo and upon search of the said Tempo, 146.7
liters of illicit liquor was recovered.

It is submitted on behalf of petitioner that nothing has
been recovered from the possession of the petitioner. Petitioner
is neither owner nor driver of the Tempo. Petitioner claims clean
antecedent and he is in custody since 02.10.2020.

Considering the fact that no incriminating article has



been recovered from the 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 IInd Additional Sessions Judge, Banka in connection with Special Case No. 537 of 2020, arising out of Baushi P.S. Case No. 254 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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