

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5821 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- MAHARAJGANJ District- Siwan

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SANJAY PRASAD SON OF MAHABIR PRASAD R/O VILLAGE-
PATERHI, P.S- MAHARAJGANJ, DIST.- SIWAN

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

Petitioner seeks bail in a case registered for the offences punishable under Section 414 of the I.P.C. and Sections 30(a), 36, 41(1) of the Bihar Prohibition & Excise Act, 2016.

As per the prosecution case, 262.80 litres of foreign liquor has been recovered from one bolero car and mini truck which were parked beside the road and petitioner along with other accused were caught on the spot.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the



petitioner. Petitioner is neither the driver nor the owner of the vehicles in question and has been arrested by the police only on the basis of suspicion. Charge sheet has already been submitted in this case. Petitioner has no criminal antecedent and he is in custody since 03.10.2020.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Maharajganj P.S. Case No. 259 of 2020, with following 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 and shall remain physically present, as directed by the court on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

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