

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6957 of 2021

Arising Out of PS. Case No.-306 Year-2020 Thana- GARDANIBAG District- Patna

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SANJAY KUMAR ALIAS SANJAY YADAV S/o RAM PUJAN RAI
Resident of Vill.- Tahir Lane, P.S.- Gardanibagh, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv
For the Opposite Party/s : Mr.Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-04-2021 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 30(a) and 36 of the Bihar Prohibition and Excise Amendment Act, 2016.

Allegation is of recovery of 121.590 litre of illicit country made foreign liquor from the Koli of the house of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner was neither apprehended at the spot nor any incriminating material has been recovered from the possession of the petitioner. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this



case on the basis of confessional statement of co-accused Ranjit Kumar, who has already been granted bail vide order dated 20.01.2021 passed in Criminal Miscellaneous No. 31927 of 2020. Petitioner has been remanded in this case on 12.08.2020 and since then he is in custody.

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 **Special Case No. 3843 of 2020 arising out of Gardanibagh P.S. Case No. 306 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 and his/her absence on two consecutive dates without sufficient reason, his/her 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.

(S. Kumar, J)

Sanjay/-

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