

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6938 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- BHIMPUR District- Supaul

MD. BADRUDDIN @ BADRUDDIN @ BADIRUDDIN Son of Abdul
Malik @ Abdul Malek Resident of Village - Bhairiadangi Ward No.2, P.s.-
Kishanganj, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 16-04-2021 The defect (s) as pointed out by the Office be
removed by the learned counsel for the petitioner within two
months after High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 36 41(1) of the Bihar
Prohibition & Excise Act, 2016.

Allegation is recovery of 2618.415 litres illicit



liquor from a truck which was being boarded by two persons including the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner is cleaner of the aforesaid truck and he has nothing to do with the recovered liquor. Petitioner has no criminal antecedent and he is in custody since 17.10.2020.

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 Bhimpur P.S. Case No.75/2020 giving rise to Sessions trial excise case No.973/2020 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.

(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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