

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8070 of 2021**

Arising Out of PS. Case No.-73 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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AJAY KUMAR SON OF SANJAY KUMAR @ SANJAY KUMAR SAH R/o
village- Sursand Ward No. 02, P.S.- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-04-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in GO Case No. 73 of 2020,

registered for the offence punishable punishable under Section

30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 161.64 litres of Nepali

saufi wine has been recovered from possession of this petitioner

while being carried by this petitioner on his head.

It is submitted that no recovery has been made from

conscious possession of this petitioner. Petitioner is in custody



since 20.07.2020 having no criminal antecedent, as stated in para 3 of the petition.

Considering the period of custody and the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 2nd-cum-Special Judge (Excise), Sitamarhi in connection with GO Case No. 73 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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