

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9772 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- DINARA District- Rohtas

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Jaswant Bhar aged about 38 years, Male, S/O Liladhar Bhar Resident of
Village - Dihariya, P. S.- Etarhi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-06-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Dinara P.S. Case No. 44 of
2020, registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act.

645 liters & 480 ml. of foreign liquor has been
recovered from a Bolero vehicle, bearing Registration no.
BR44P-2135, of which, the petitioner is registered owner.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner.
Petitioner has not been arrested on the spot, rather he has been
made accused only due to the fact that he is owner of the said
vehicle. Petitioner claims clean antecedent and he is in custody
since 02.09.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the period of custody, clean antecedent and the fact that nothing has been recovered from conscious possession of the petitioner, the bail petition 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Dinara P.S. Case No. 44 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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