

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41332 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

UDAY KUMAR S/o Ujagar Rai Resident of Village- Mirampur, P.S.-
Raghopur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 04.03.2021 seeks
regular bail in connection with Special Case No.1577/2021
arising out of P.R. Jakkanpur Case No.57 of 2021 registered for
the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Amendment Act, 2018.

Prosecution case in brief, is that altogether 100
liters of *Chulai* liquor was recovered from the conscious



possession of the petitioner who was apprehended while he was carrying the same on motorcycle bearing registration no.BR01CD-1045.

Learned counsel appearing on behalf of the petitioner submits the said motorcycle is in registered in the name of the his brother and nothing has been recovered from his conscious possession neither he has any connection with the said motorcycle or with his brother.

Learned APP for the State, however, opposes the prayer for grant of bail to the petitioner and submits that the petitioner has been apprehended along with the huge quantity of liquor.

Considering the above-mentioned facts and circumstances of the case, it is directed that the court below after verifying the criminal antecedent of the petitioner and if no other criminal case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner above named, be released on bail on furnishing bail bond of Rs.1,00,000/- (Rupees One Lac Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.1577/2021 arising out of P.R. Jakkanpur Case No.57 of 2021, subject to the



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 are found involved in similar nature of offence, after release on bail, the trial court shall take steps to control his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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