

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45306 of 2021

Arising Out of PS. Case No.-138 Year-2021 Thana- JALALPUR District- Saran

AMIT KUMAR PANDIT S/o Sri Tribhuwan Pandit R/o Village - Bishunpura,
P.S. - Jalalpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 23.06.2021,
seeks regular bail in connection with Jalalpur P.S. Case No. 138
of 2021, for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 351
litres of Indian Made Foreign Liquor was recovered from the
house of the petitioner and petitioner was apprehended on the
spot. Accordingly, seizure-list was prepared in presence of two
independent witnesses.



Learned counsel appearing on behalf of the petitioner submits that the alleged liquor has been seized from the house of Satrohan Pandit, uncle of petitioner, the petitioner used to reside in another house. He further submits that petitioner has been roped in the present case due to dirty village politics from Jalapur P.S. Case No. 102 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 in which he has already been enlarged on bail.

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

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Saran in connection with Jalalpur P.S. Case No. 138 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 is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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