

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50285 of 2021**

Arising Out of PS. Case No.-371 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Sabin Kumar Son of Ramadhar Singh Resident of Village - Ahiyapur, P.S.-
Haspura, District - Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Md. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-03-2022 Heard learned counsel for the petitioner and the
learned APP.

This is a case under section 30(a), 34,36 of Bihar
Prohibition & Excise Amendment Act, 2018 and Section
272, 273, 120(B) of the Indian Penal Code.

Daudnagar P.S. Case No. 371 of 2021 was lodged
by the informant alleging therein that on 5.7.2021 when the
police party had proceeded for specific attachment and on
secret information, they nabbed a four wheeler and 43 litres
of English Liquor and 390 litres of country made liquor
were recovered.



Learned counsel for the petitioner submits that now charge-sheet has been submitted in the Court and as such there is no question of tampering of evidence. He also submits that one of the co-accused Rajesh Kumar has since been released on bail in Cr. Misc. No. 51662 of 2021 vide order dated 9.3.2022. Learned counsel further pointed out with the help of para-3 of the bail application that the petitioner has got no criminal antecedent.

In that view of the matter, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Special Judge Excise, Aurangabad, in connection with Daudnagar P.S. Case No. 371 of 2021 subject to the following conditions:

(i) the petitioner shall visit the Daudnagar police station every fortnight for the next six months and/or the completion of the trial whichever is earlier;

(ii) one of the bonds shall be executed by the family members of the petitioner who shall submit an affidavit to this effect showing his bonafide;

(iii) the petitioner shall cooperate in the trial and ensure his presence on each and every date and failure to do so for two consecutive dates without



logical reason will entail process for cancellation of his bail bonds by the trial court itself;

(iv) the petitioner shall not in any manner try to influence the witnesses relating to the case in hand.

With the aforesaid condition the bail application is allowed.

(Rajiv Roy, J)

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