

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56291 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- JANDAHA District- Vaishali

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AJAY KUMAR S/o Sri Sakal Rai, R/v- Maile, P.S.- Bidupur, Distt- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Akbar Ali, App

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-03-2022

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272 and 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

Allegation is recovery of 200 litres country-made liquor from two sacks kept on the motorcycle which was being ridden by the two persons including the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that though it is alleged that 200 liters country made liquor was recovered from two bags but there is no independent witness of the seizure list rather two Chaukidars became the seizure list witnesses which goes to

show that a concocted story has been cooked up to implicate the petitioner. Petitioner is in custody since 13.06.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jandaha P.S. Case No.122 of 2021 with 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 offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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