

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56991 of 2021

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

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VASHISHATH KUMAR @ VASHISTH KUMAR SON OF SRI SHYAM
BABU RAI R/O VILLAGE- MAILE, P.S.- BIDUPUR, DISTRICT-
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 being carried 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 has no criminal antecedent. Charge-sheet has already been submitted. 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.

Sanjay/-

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(S. Kumar, J)