

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29163 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- WAJIRGANJ District- Gaya

=====

BABLOO KUMAR @ ABHISHEK KUMAR Son of Sanjeevan Ravidas @
Sanjeevan Das Resident of village - Chhiri, P.S.- Fathepur, District - Gaya
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Singh
For the Opposite Party/s : Mr.Suresh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Wazirganj
P.S. Case No. 79 of 2023 registered for the offences punishable
under Section 30(a) and 45 of the Bihar Prohibition and Excise
Act.

As per prosecution case, there is alleged recovery of
250 liter country made liquor from the tempo in question and
petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody 14.03.2023 and bears no criminal
antecedent. Learned counsel further submits that nothing has
been recovered from the conscious possession of the petitioner.



The petitioner is innocent and has falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Exclusive Excise Court No. 1 Gaya in connection with Wazirganj P.S. Case No. 79 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

Niku/-
amit

(Alok Kumar Pandey, J)

U		T	
---	--	---	--

