

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29368 of 2023

Arising Out of PS. Case No.-278 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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ADITYA KUMAR S/o Rajeev Kumar Singh Resident of village-
Shambhupatti, Ward No. 10, P.S.-Muffasil, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Dashrath Mehta

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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 Excise
P.S. Case No. 278 of 2020 registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act.

As per prosecution case, there is alleged recovery of
63.675 liter foreign liquor from the house of the petitioner.
Local people disclosed the name of petitioner who fled away
from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is in custody 13.04.2023 and bears no criminal
antecedent. He further submits that petitioner is quiet innocent



and has falsely been implicated in this case. Petitioner is not apprehended on spot. Name of present petitioner has been transpired in this case on the basis of statement given by local people.

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, petitioner is not apprehended on spot, 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 Special Judge (Excise)-02 Samastipur in connection with Excise P.S. Case No. 278 of 2020, 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.

(Alok Kumar Pandey, J)

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