

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10813 of 2015

Arising Out of PS.Case No. -97 Year- 2008 Thana -KUDRA District- BHABHUA (KAIMUR)

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Hariom Prasad Gupta, S/o Bhola Prasad, resident of village- Gorari, Police
Station- Karakat, District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR
LAL
ORAL ORDER

4 25-06-2015 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 373, 290 of the Indian
Penal Code and 47(A) of the Excise Act.

The allegation against the petitioner is that he was
selling liquor and from his possession huge quantity of liquor
has been recovered.

It is submitted that the petitioner was the
salesman of the co-accused Markandey Singh and nothing has
been recovered from his possession. After investigation charge-
sheet has already been submitted and there is no chance of
tampering with the witnesses.

Learned counsel for the State submits that the
petitioner has also criminal antecedent of similar nature.

A report of the learned Chief Judicial Magistrate

has been received vide letter no. 56 dated 08.04.2015, which shows that the case has been transferred to the court of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua and charge-sheet has already been submitted.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Kudra P.S. Case No. 97 of 2008 after framing of charge with following conditions:-

1. The petitioner will not indulge himself in similar or in any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of the bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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