

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6036 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -SACHIWALAYA District- PATNA

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1. Jagdish Prasad aged about 40 years, S/o Shambhu Prasad, R/o Chitkohra,
Bazar, P.O.- Anisabad, P.S. Gardanibagh, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Verma

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 16-03-2017 Heard the Counsel for the petitioner. Nobody
appears on behalf of the State.

The petitioner seeks bail in Sachivalaya P.S. Case
No. 122 of 2016 registered under Section 30(A) of the Bihar
Excise Act, 2016 and 34 of the Indian Penal Code.

On a tip off, the police went to the place of
occurrence fromwhere three accused persons started fleeing away.
On chase, they were arrested. The petitioner was one of them. 12
bottles of IMFL Royal Stag each containing 750 ml. were
allegedly recovered on the disclosure made by the arrested
accused from behind the kiosk.

Contention of the petitioner is that he is in custody
since 08.12.2016. It is a case of false implication on the basis of
suspicion. Two other co-accuseds who were similarly chased and



arrested along with the petitioner have since been granted bail by this Court vide order dated 27.02.2017 passed in Cr. Misc. No. 3507 of 2017.

Considering the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri K.M. Tiwary, A.C.J.M., Patna in Sachivalaya P.S. Case No. 122 of 2016 (G.R. No. 7680 of 2016) subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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