

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14563 of 2017**

Arising Out of PS.Case No. -259 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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Baidyanath Rai, son of Late Dhanik Lal Rai, resident of Village-  
Chakahbib, P.S.- Bibhutipur, District- Samastipur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      30-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with  
Bibhutipur P.S.Case No. 259 of 2016 registered for the offences  
punishable under Section 30(a) of Bihar Excise Act.

It has been submitted on behalf of the petitioner that  
though it has been alleged in the FIR that 165 litres of foreign  
liquor has been recovered from the shop of the petitioner but the  
shop is joint possession of the petitioner and petitioner is aged 65  
years having no criminal antecedent and he has remained in  
custody since 13.11.2016.

Heard learned APP also.

Having heard both sides and considering the fact that  
petitioner is aged person having clean antecedent and remained in



custody for a long time, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur, in connection with Bibhutipur P.S.Case No. 259 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

spal/-

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