

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18961 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -CHANDAN District- BANKA

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1. Arbind Kumar, Son of Ram Khelawan Singh, Resident of Village-
Chhotiki Hathia Khargpur, P.S. Haweli Khargpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Chandan P.S.Case No.147 of 2016, registered for offences punishable under Section 30(a) of Bihar Excise Amendment Act, 2016.

Allegation against the petitioner is that 15 bags of '*Mahua Flowers*' each containing 40 kg. was recovered from the Tempo and the petitioner was apprehended at the spot.

It is submitted on behalf of the petitioner that he was only a passenger of the said Tempo and he has no criminal antecedent. He has remained in custody for about 4 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that he has



clean antecedent and remained in custody for about 4 ½ months, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Banka in connection with Chandan P.S.Case No.147 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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