

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19558 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -BIRAU District- DARBHANGA

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1. ASHESH KUMAR SINGH @ BILTU SINGH @ ASHESH SINGH,
Son of Late Baleshwar Singh, Resident of Village: Shivanagar Hat (Dera
Tola), P.S. Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with G.O.
(Excise) Case No.62 of 2017 arising out of Biraul P.S.Case No.22
of 2017 registered for offences punishable under Sections 272,
273 and 34 of the Indian Penal Code and U/S 30(a), 38(1) and
41(i) of Bihar Excise Amendment Act, 2016.

Allegation against the petitioner is about recovery of 39 ltrs.
of foreign liquor from the house as well as from the field of the
petitioner.

It is submitted on behalf of the petitioner that nobody was
present at the house at that time and he has been falsely implicated
in this case. He has remained in custody for about three months
and he has clean antecedent.



Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent of the petitioner as well as the fact that the petitioner has remained in custody for about three months, 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 Sessions Judge-cum-Special Judge, Darbhanga in connection with G.O.Excise Case No.62 of 2017 arising out of Biraul P.S.Case No.22 of 2017.

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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