

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19338 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Raj Kumar Sharma S/o Late Paltan Sharma, R/o village - Jagdish Pur, P.S.
Gorari, District - Rohtas, Bihar Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with C.B. Case
No. 70 of 2016 registered for the offences punishable under
Sections 30 (ka) and 47 of the Bihar Prohibition and Excise Act,
2016.

Allegedly, in container which was being driven by the
petitioner illicit liquor was recovered.

Submission is of false implication and that the petitioner
used to work in Rajasthan and he has come to his native village
and when he was asked to fetch the container from U.P. to Fatuha
as the driver of the said container is ill and he was offered Rs.
5000/- for the work and then the petitioner agreed to the offer, the
petitioner was not told what was being carried in the container and



co-driver Shashi Kant Rai has been allowed bail vide Cr. Misc. No. 13534 of 2017 and as such the petitioner also deserve sympathetic consideration. Other co-accused persons have also been allowed bail.

Learned APP fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City, Patna in connection with C.B. Case No. 70 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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