

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3533 of 2017

Arising Out of PS.Case No. -170 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

Om Prakash Singh Son of late Kisun Singh Resident of Village- Lohan
Dumaria, P.S. Bhiya, District- Arrah. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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

ORAL ORDER

2 27-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Daudnagar
P.S. Case No. 170 of 2016 registered for the offence punishable
under Section 30 (Gh) of Bihar Prohibition & Excise Act, 2016.

Allegedly, the petitioner driving the pick-up van loaded
with 40 quintals of Mahua was apprehended and after
interrogation the petitioner told that Mahua is of Ajay Sao which
was loaded at Hariharganj and was to bring at Patna. However, no
paper was produced regarding the said Mahua.

Submission is of false implication and that no offence as
alleged is made out, Mahua flower is transportable item and
without any fault the petitioner is suffering in custody since
17.10.2016 and as such the petitioner deserves sympathetic
consideration to which the learned APP does not oppose.



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 Sub Divisional Judicial Magistrate, Daudnagar in connection with Daudnagar P.S. Case No. 170 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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