

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24406 of 2017

Arising Out of PS. Case No. -21 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN (MOTIHARI)

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Sultan Khan @ Md. Sultan Khan, son of Late Sabir Khan, resident of
village Bahlolpur, police station - Dhaka, district - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.02.2017 in connection with Kundwachainpur P.S. Case No. 21 of 2017 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 37(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of 90 litres of Nepali liquor from the carrier of the motor-cycle. Recovery of the offending goods from the possession of the petitioner is denied. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 23.02.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahna at Dhaka, District East Champaran in connection with Kundwachainpur P.S.



Case No. 21 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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