IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32706 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -NIYAMCHANDPUR District- BEGUSARAI

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Kajal Kumar, son of Shri Ram Mahto, Resident of Village- Nima, P.S.- Nima Chandpura, District- Begusari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Vinod Gautam
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-08-2017 Originally there were two petitioners in this application but with the permission of this Court name of petitioner No.2, Mahesh Kumar, has been deleted.

Heard learned counsel for the petitioner.

This is an application for bail in connection with Nima Chandpura P.S.Case No. 13 of 2017 registered for the offences punishable under Section 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 13 bottles, each containing 180 ml. of Royal Stag wine from his possession.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case and he is in custody for about five months having clean antecedent.

Heard learned APP also.

Having heard both sides and considering the aforesaid

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facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with Nima Chandpura P.S.Case No. 13 of 2017, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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