

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27022 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SAHARSA

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Kumod Kumar, Son of Brahmdev Yadav, resident of Village Kahra,
Ward No.- 6, P.S.- Sadar (Saharsa), District- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Madhav Jha, Advocate.

For the Opposite Party : 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 20.04.2017 in
connection with Special Case No. 73 of 2017 for the offences alleged
under Section 30(a) of the Bihar Excise Amendment Act, 2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with the alleged recovery of 750 ml. of
foreign liquor. Recovery of the offending goods from the possession
of the petitioner is denied. It is submitted that there is only one
other case of similar nature in which the petitioner has been made
accused.

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 20.04.2017 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 Additional Sessions Judge-II-cum-Special Judge, Saharsa
in connection with Special Case No. 73 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)

Md. Ibrarul/-

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