

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27639 of 2017

Arising Out of PS. Case No. -110 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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Rajiv Kumar Sharma @ Rajiv Sharma S/o- Permanand Sharma @
Parmanand Sharma, R/o Village- Auray Goth Ward No. 04, P.S. Puraini,
District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Singh, Advocate

For the State : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 01.04.2017 in
connection with Bihariganj P.S. Case No. 110 of 2017 for the
offences alleged under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with the alleged recovery of 2.50 litres of
country made Mahua wine from dicky of the motorcycle. 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 01.04.2017 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 Judicial Magistrate, Udakishunganj, District Madhepura
in connection with Bihariganj P.S. Case No. 110 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)

B.T/Chandran

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