

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32040 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -JAMALPUR RAIL P.S. District- LAKHISARAI

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1. Bhola Yadav son of Late Badho Yadav Resident of Village - Bal Khunda, P.S. - Dhamol, P.O. - Pakaribarma, District - Nawada at present R/o Village - Bhulai, P.S. - Chanan, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-07-2017 The petitioner seeks regular bail in connection with Rail Jamalpur P.S. Case No. 37 of 2017, registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 137 of Railway Act.

Allegation is of recovery of eight litres of country made wine.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case. Moreover, there is allegation of recovery of only 8 litres of country made liquor, for which petitioner has sufficiently been punished as he has been in judicial custody since 30.05.2017 and has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case, quantity of liquor recovered and also that petitioner has no criminal antecedent and has remained in custody for about two months, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge-cum-Special Judge (Excise), Lakhisarai, in connection with Rail Jamalpur P.S. Case No. 37 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property 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 reasons, the prosecution is free to move for cancellation of his bail.



It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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