

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27344 of 2017

Arising Out of PS. Case No. -25 Year- 2017 Thana -MALSALAMI District- PATNA

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Md. Naushad @ Sonu, S/o Mohmmad Liyakat @ Liyakat R/o
Sharifaganj (Jhinjhari Bagh), P.S.- Malsalami, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nityanand Kumar, Advocate

For the State : 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 21.04.2017 in connection with Malsalami P.S. Case No. 25 of 2017, (Now Spl. Case No. 571/2017) for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 38 and 41 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 420 litres of country made wine. It is submitted that except extrajudicial confession of the co-accused, there is no material to connect the petitioner with the alleged occurrence. 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 21.04.2017 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 Special Judge, Excise, Patna in connection with



Malsalami P.S. Case No. 25 of 2017, (Now Spl. Case No. 571/2017)
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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