IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34294 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -OBRA District- AURANGABAD

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1. Rakesh Kumar Singh, son of Dhirendra Prasad Singh, Resident of Ranabigha, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Usha Kumari Singh
For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2017 The petitioner seeks regular bail in connection with Obra P.S. Case No. 83 of 2017, registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of about 100 litres of wine.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and he along with two other co-accused person were traveling in the car, from which the alleged recovery has been made. Petitioner is neither owner nor driver of the car. Further he has no criminal antecedent and has been in judicial custody since 09.05.2017 and has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and

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circumstances of the case, and also that petitioner has no criminal antecedent and has remained in custody for more than two and half 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 Additional Sessions Judge-II-cum-Special Judge, Aurangabad, in connection with Obra P.S. Case No. 83 of 2017, subject to the following conditions:-

(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.

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It is also 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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