

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52971 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -DHANGAI District- BHOJPUR

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Ghan Shyam Nut son of Late Ram Janam Nut
Resident of village Mithha, P.S. Dhangai, District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Dhangai P.S.Case no.25 of 2017 registered for offences punishable under Sections 147, 148, 149, 188, 353, 307, 272, 273 of the Indian Penal Code and Section 30(a)/37(C)/56D of Bihar Excise Amendment Act, 2016.

Allegation against the petitioner is about recovery of 05 ltrs. of *mahua* liquor from the possession of the petitioner.

Submission of the learned counsel for the petitioner the other family members is also living there so it can not be said that it has been recovered from his conscious possession. He has no criminal antecedent and he is in custody since 16.7.2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-4, Bhojpur at Ara in connection with Dhangai P.S.Case No.25 of 2017.

With 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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