

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45389 of 2017

Arising Out of PS.Case No. -365 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Chhotu Kumar @ Tuntu Kumar son of Narad Sharma @ Narad Tanti,
resident of Mohal Hajipur, Ward No.17 P.S. & District Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Khagaria P.S.Case No.365 of 2017 registered for offences punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of liquor.

Submission of the learned counsel for the petitioner is that nothing has been recovered from the possession of the petitioner. It has been alleged that the petitioner was throwing wine, which is improbable. The petitioner has no criminal antecedent and he has remained in custody for more than two months.

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/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-IIIrd, Khagaria in connection with Khagaria P.S.Case No.365 of 2017 dated 31.5.2017.

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 on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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