

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48991 of 2017

Arising Out of PS.Case No. -283 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Kanhaiya Kamkar S/o Late Sri Nath Kharwar, R/o Village- Badka
Singhpura, P.S.- Simri, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Brahmpur P.S.case No.283 of 2017 registered for offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of
5.4 ltrs. of liquor from the motorcycle and the petitioner was
arrested along with one co-accused persons at the spot.

Submission of the learned counsel for the petitioner is
that the seized liquor was not of the petitioner and he has no
criminal antecedent as well as he has remained in custody for
about 1 ½ 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 A.D.J. 2nd-cum-Special Judge, Excise Act, Buxar in connection with Brahmpur P.S.case No.283 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 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.
- (iv) If his active participation is found in such type of cases in future, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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