

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47351 of 2017

Arising Out of PS.Case No. -443 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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1. Rohit Kumar Thakur son of Dashrath Thakur Resident of village
Kolgama Sultanganj, P.S. Sultanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Barauni P.S.Case no.443 of 2016 registered for offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Allegation against the petitioner as per FIR is about
recovery of 406 ltrs. of liquor from a car and name of the
petitioner has transpired during the course of investigation of the
case.

Submission of the learned counsel for the petitioner is
that the petitioner has been falsely implicated in this case and
nothing has been recovered from his possession. He was arrested
at the spot and even he is not named in the FIR. The petitioner has
no criminal antecedent and he has remained in custody for 02
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 Sri Anil Kumar Sinha, Additional Sessions Judge 7th, Begusarai-cum-Special Judge, Bihar Prohibition & Excise Act, 2016 in connection with Barauni P.S.Case no.443 of 2016.

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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