

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44558 of 2017

Arising Out of PS.Case No. -178 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Md. Rahamtullah Rai, S/o Abdul Satar Rai, resident of village- Madhaul,
P.S- Saraiya, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Vaishali
P.S.Case No. 178 of 2017 registered for the offences punishable
under Sections 30(A), 32(2), 35(A) and 41(1) of Bihar Excise Act.

Allegation is of recovery of 174 litres of foreign liquor.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and nothing has been
recovered from his possession and he is in custody since
15.7.2017 having no criminal antecedent. Further submission is
that similarly situated co-accused have been granted bail in
Cr.Misc.No.38876 of 2017, vide order dated 19.8.2017 by a co-
ordinate Bench of this Court.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances, let petitioner, above named, be released 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 the Additional Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur, in connection with Vaishali P.S.Case No. 178 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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