

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54745 of 2017

Arising Out of PS.Case No. -433 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Bhupendra, S/o Lakshman, resident of Village- Bas, Police Station- Bas,
District- Hisar (Haryana).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Bihar P.S.Case no.433 of 2017 registered for offences punishable under Sections 414 of the Indian Penal Code and Sections 30/30(a) of Bihar Excise Amendment Act, 2016.

Allegation against the petitioner is about recovery of 360 ltrs. of English wine from the vehicle and the petitioner was arrested at the spot.

Submission of the learned counsel for the petitioner is that he is driver of the vehicle and he has no concern with the seized articles. He has no criminal antecedent and he is in custody since 1.8.2017.

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 6th Additional Sessions Judge-cum-Special Judge Excise, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.433 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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