

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15717 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Gulshan Kumar, S/o Rajivranjan, Resident of village - Sitalpatti, P.S.
Sourbazar, District – Saharsa Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Khagaria
P.S. Case No. 50 of 2017 registered for the offences punishable
under Sections 414, 273 of the Indian Penal Code and Sections
30, 35 and 38 of Bihar Excise (Amendment) Act 2016.

Allegedly, acting on a tip off that Dharo Yadav and the
petitioner are coming on a Safari vehicle bearing Regd. No. BR-
1PB-9960 and carrying illicit liquor, raid was conducted but the
driver of the vehicle started running away, however, as the railway
gumti was closed, the occupants of the vehicle flee away after
leaving the vehicle and from that vehicle total 253 bottles each
containing 180 ml. Royal Stag whisky were recovered. The
vehicle was also stolen one.

Submission is of false implication and that the petitioner



was not caught at the spot and only on the basis of confidential information the petitioner has been apprehended, resulting, he is suffering in custody since 02.02.2017, nothing was recovered from his conscious possession and as such he deserves sympathetic consideration.

Learned APP submits that confidential information was found true.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 50 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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