

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9582 of 2017

Arising Out of PS.Case No. -301 Year- 2016 Thana -GAYA RAIL P.S. District- GAYA

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1. Butti Prasad, son of Sita Ram Prasad, R/o Village- Bairagi, P.S.- Delha,
Distt.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 Heard the parties.

This application has been filed in connection with Rail Gaya
P.S.Case No.301 of 2016 for the offences under Sections 30(a) of
Bihar Excise Amendment Act, 2016.

The allegation against the petitioner and one co-accused is
that a bag has been recovered from their house, in which 64 bottles
of liquor have been recovered of different quantity. He has clean
antecedent. He has been falsely implicated in this case only on the
basis of suspicion and he is in custody for about six months.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact he has clean
antecedent as well as he has remained in custody for about six
months, as such, 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 A.C.J.M., Rail Gaya in connection with Rail Gaya P.S.Case No.301 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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