

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17742 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Mithilesh Sahani @ Mithlesh Sahani, Son of Ganaur Sahani, Resident of
Village- Barkagoan, P.S.- Karja, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Excise P.S.Case No.C45 of 2017 registered for offences
punishable under Sections30(a), 32(1) and 39(1) of the Bihar
Excise Act, 2016.

Allegation against the petitioner is about recovery of
about 36 ltrs. of foreign liquor from the house of the petitioner,
that is the joint house of the petitioner and it has also come in the
case that father and brother of the petitioner are engaged in such
type of business. The petitioner has remained in custody for about
1 ½ months and earlier also he has not remained accused in similar
type of cases.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts as stated above, as well as the fact that the petitioner has remained in custody for about 1 ½ months, 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 Sri Amit Kumar Tiwari, J.M. Ist class, Muzaffarpur (West) in connection with Excise Case No.C 45 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 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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