

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14545 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -SINGHIYA District- SAMASTIPUR

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Jamun Sada @ Jamun Saday, S/o Late Phagun Sada, resident of Village-Tara, P.S.- Singhiya, District- Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Pd.Singh, Sr.Advocate with
Mr. Mithilesh Kr. Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Singhia P.S.Case No. 149 of 2016 registered for the offences punishable under Sections 47(a), 57 of Bihar Excise Amendment Act, 2016 and 30(a), 38(1)(2), 41(1) of Bihar Prohibition and Excise Act, 2016.

Allegation is that there is recovery of huge quantity of foreign liquor from co-accused Upendra Sada, son of the petitioner.

It has been submitted on behalf of the petitioner that petitioner being father of co-accused is made accused in this case but actual recovery has been made from Upendra Sada and for that petitioner is in custody for about six months having clean antecedent.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, 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 Chief Judicial Magistrate-V, Rosera, Samastipur, in connection with Singhia P.S.Case No. 149 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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